



STATE OF MAINE  
Department of Public Safety  
Office of State Fire Marshal  
52 State House Station  
Augusta, ME 04333-0052

PAUL R. LePAGE  
GOVERNOR

JOHN E. MORRIS  
COMMISSIONER

JOSEPH THOMAS  
STATE FIRE MARSHAL

October 17, 2013

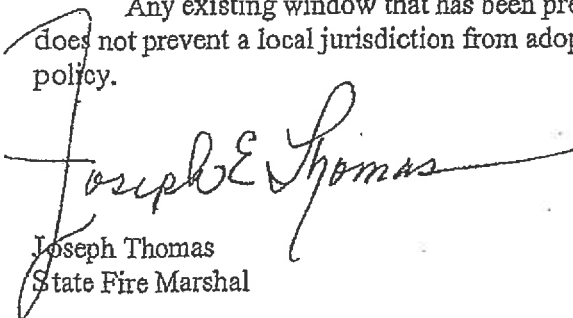
Re: Policy for clarification of existing egress windows

From: Joseph Thomas

Effective November 1, 2013, the following will be the policy for egress windows within existing buildings. Any building constructed after 1976 shall be required to comply with the requirement to provide 5.7 sq. ft. of net clear opening with a minimum width of 20" and minimum height of 24". The window shall also meet all other requirements for egress windows contained in the NFPA 101 Life Safety Code. Any replacement windows installed in a building constructed after 1976 shall be required to meet the net clear opening of 5.7 sq.ft. This shall be measured with the window in it's natural open position.

Any building constructed before 1976 will be allowed to meet the following specifications. The net clear opening would be allowed to meet the minimum 20" in width and 24" in height with a total net clear opening of 3.3 sq.ft; if the window is constructed of wood or vinyl and the overall window sash size meets a minimum of 5.0 sq. ft. The window shall meet all other requirements for an egress window as specified in the NFPA 101 Life safety Code as adopted by the Office of State Fire Marshal. Any replacement window installed in a building constructed prior to 1976 shall meet the same requirements as the existing windows and shall not reduce the existing net clear opening below the minimum requirements.

Any existing window that has been previously approved will be allowed to continue in use. This policy does not prevent a local jurisdiction from adopting a more restrictive policy under an ordinance or life safety policy.

  
Joseph Thomas  
State Fire Marshal

PREVENTION \* MITIGATION/ SUPPRESSION \* LAW ENFORCEMENT

OFFICES LOCATED AT: 45 COMMERCE DRIVE, AUGUSTA, MAINE 04330

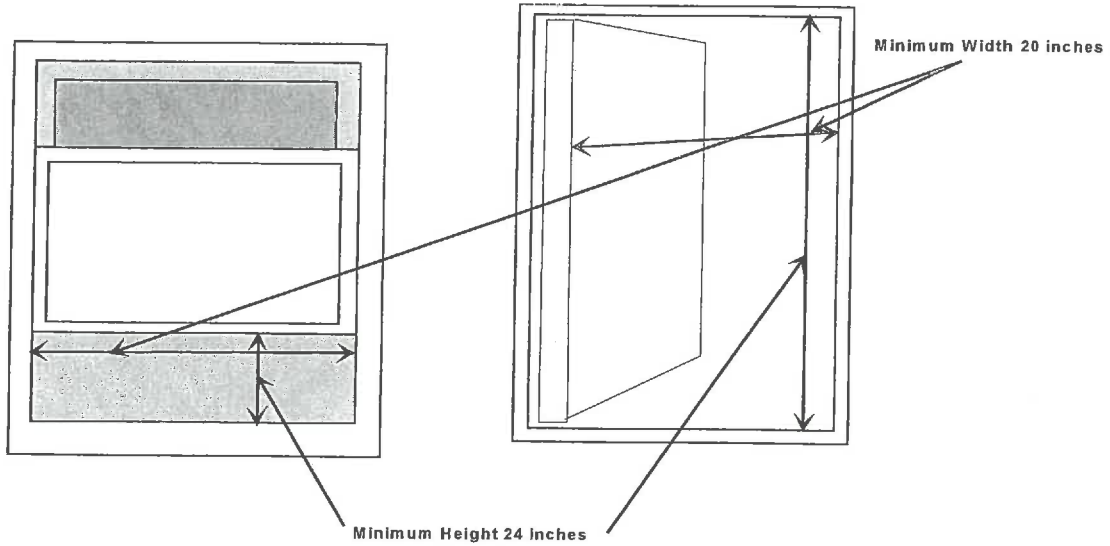
(207) 626-3870 ADMINISTRATION/ INVESTIGATIONS  
(207) 626-3880 INSPECTIONS/ PLANS REVIEW

(207) 287-3659 TDD

(207) 287-6251 FAX

**Diagram # 2**

The Department of Public Safety does not recognize the act of removing the sashes of a double hung window to achieve the minimum of 5.7 square feet of clear opening. The method used by this department in measuring the clear opening of a window is illustrated below. This method uses the opening when the window is in its normal open position.



To calculate the square footage of the opening multiply the width of the opening by the height of the opening and divide by 144.

**SAMPLE**

32" WIDE TIMES 26" TALL = 832 SQUARE INCHES. WHEN DIVIDED BY 144 THIS COMES OUT AT 5.777 SQUARE FEET.

height	width																
	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36
24	3.33	3.50	3.67	3.83	4.00	4.17	4.33	4.50	4.67	4.83	5.00	5.17	5.33	5.50	5.67	5.83	6.00
25	3.47	3.65	3.82	3.99	4.17	4.34	4.51	4.69	4.86	5.03	5.21	5.38	5.56	5.73	5.90	6.08	6.25
26	3.61	3.79	3.97	4.15	4.33	4.51	4.69	4.88	5.06	5.24	5.42	5.60	5.78	5.96	6.14	6.32	6.50
27	3.75	3.94	4.13	4.31	4.50	4.69	4.88	5.06	5.25	5.44	5.63	5.81	6.00	6.19	6.38	6.56	6.75
28	3.89	4.08	4.28	4.47	4.67	4.86	5.06	5.25	5.44	5.64	5.83	6.03	6.22	6.42	6.61	6.81	7.00
29	4.03	4.23	4.43	4.63	4.83	5.03	5.24	5.44	5.64	5.84	6.04	6.24	6.44	6.65	6.85	7.05	7.25
30	4.17	4.38	4.58	4.79	5.00	5.21	5.42	5.63	5.83	6.04	6.25	6.46	6.67	6.88	7.08	7.29	7.50
31	4.31	4.52	4.74	4.95	5.17	5.38	5.60	5.81	6.03	6.24	6.46	6.67	6.89	7.10	7.32	7.53	7.75
32	4.44	4.67	4.89	5.11	5.33	5.56	5.78	6.00	6.22	6.44	6.67	6.89	7.11	7.33	7.56	7.78	8.00
33	4.58	4.81	5.04	5.27	5.50	5.73	5.96	6.19	6.42	6.65	6.88	7.10	7.33	7.56	7.79	8.02	8.25
34	4.58	4.81	5.04	5.27	5.50	5.73	5.96	6.19	6.42	6.65	6.88	7.10	7.33	7.56	7.79	8.03	8.25
35	4.72	4.96	5.19	5.43	5.67	5.90	6.14	6.38	6.61	6.85	7.08	7.32	7.56	7.79	8.02	8.26	8.50
36	5.00	5.25	5.50	5.75	6.00	6.25	6.50	6.75	7.00	7.25	7.50	7.75	8.00	8.25	8.50	8.75	9.00
37	5.14	5.40	5.65	5.91	6.17	6.42	6.68	6.94	7.19	7.45	7.71	7.97	8.22	8.48	8.74	8.99	9.25
38	5.28	5.54	5.81	6.07	6.33	6.60	6.86	7.13	7.39	7.65	7.92	8.18	8.44	8.71	8.97	9.24	9.50
39	5.42	5.69	5.96	6.23	6.50	6.77	7.04	7.31	7.58	7.85	8.13	8.40	8.67	8.94	9.21	9.48	9.75
40	5.56	5.83	6.11	6.39	6.67	6.94	7.22	7.50	7.78	8.06	8.33	8.61	8.89	9.17	9.44	9.72	10.00
41	5.69	5.98	6.26	6.55	6.83	7.12	7.40	7.69	7.97	8.26	8.54	8.83	9.11	9.40	9.68	9.97	10.25
42	5.83	6.13	6.42	6.71	7.00	7.29	7.58	7.88	8.17	8.46	8.75	9.04	9.33	9.63	9.92	10.21	10.50
43	5.97	6.27	6.57	6.87	7.17	7.47	7.76	8.06	8.36	8.66	8.96	9.26	9.56	9.85	10.15	10.45	10.75

**William Butler**

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**From:** Affiliate-Group2-owner@mmaaffl.org on behalf of Melissa Christie <Affiliate-Group2@mmaaffl.org>  
**Sent:** Monday, March 27, 2017 10:44 AM  
**To:** 'affiliate-group2@mmaaffl.org'  
**Subject:** Follow up information - MBOIA March Membership/Training Meeting

Below, please find follow up information from the smoke detector law, Life Safety, and Property Maintenance code from the presenter, Lance Sanborn.

**Title 25: INTERNAL SECURITY AND PUBLIC SAFETY**  
**Part 6: FIRE PREVENTION AND FIRE PROTECTION**  
**Chapter 317: PREVENTIVE MEASURES AND RESTRICTIONS**

**§2464. Smoke detectors**

1. Definition. "Smoke detector" means a device that, when activated by the presence of smoke, provides an alarm suitable to warn the occupants within the individual dwelling unit in which it is attached and that has been listed for use by a nationally recognized independent testing laboratory.

[ 1997, c. 728, §27 (AMD) .]

2. Smoke detectors required.

[ 2009, c. 551, §1 (RP) .]

2-A. Smoke detectors required. The owner shall properly install, or cause to be properly installed, in accordance with the manufacturer's requirements at the time of installation, smoke detectors in:

A. A single-family dwelling the construction of which is completed after January 1, 1982; [2009, c. 551, §2 (NEW).]

B. Each unit in a building of multifamily occupancy; [2009, c. 551, §2 (NEW).]

C. An addition to or restoration of an existing single-family dwelling that adds at least one bedroom to the dwelling and the construction of which is completed after September 19, 1985; and [2009, c. 551, §2 (NEW).]

D. A conversion of a building to a single-family dwelling completed after September 19, 1985. [2009, c. 551, §2 (NEW).]

A smoke detector installed or replaced, after the effective date of this subsection, within 20 feet of a kitchen or of a bathroom containing a tub or shower must be a photoelectric-type smoke detector except that ionization detectors are permitted within the bedrooms even if the bedroom is within 20 feet of a kitchen or bathroom containing a tub or shower.

3. Multiapartment buildings. In multiapartment buildings more than 3 stories in height, approved smoke detectors must also be installed in each corridor and hallway on each floor

**8. Smoke alarms for persons with disabilities.** Upon the request of a deaf or hard-of-hearing occupant, the owner of the dwelling unit shall provide an approved smoke alarm suitable to warn the occupant within the dwelling unit. If the owner does not provide a suitable smoke alarm, the occupant may purchase, install and maintain a suitable smoke detector, or arrange for proper installation and maintenance of a suitable smoke detector, and may deduct the actual costs from the rent for the dwelling unit. An occupant or tenant may not be charged, evicted or penalized in any way for failure to pay the actual cost deducted from the rent for the dwelling unit.

[ 1997, c. 95, §2 (NEW) .]

**9. Rental units.** In a unit occupied under the terms of a rental agreement or under a month-to-month tenancy:

A. At the time of each occupancy, the landlord shall provide smoke detectors if they are not already present. The smoke detectors must be in working condition. After notification, in writing, of any deficiencies by the tenant, the landlord shall repair or replace the smoke detectors. If the landlord did not know and had not been notified of the need to repair or replace a smoke detector, the landlord's failure to repair or replace the smoke detector may not be considered as evidence of negligence in a subsequent civil action arising from death, property loss or personal injury; [2009, c. 551, §4 (AMD).]

B. The tenant shall keep the smoke detectors in working condition by keeping charged batteries in the smoke detectors, by testing the smoke detectors periodically and by refraining from disabling the smoke detectors; and [2009, c. 551, §4 (AMD).]

C. The landlord may install 10-year sealed tamper-resistant battery-powered smoke detectors if the unit is a single-family dwelling. [2009, c. 551, §4 (NEW).]

## NFPA 101 Life Safety Code Chapter 31 Existing Apartments 2009 edition

### 31.3.4.5 Smoke Alarms.

**31.3.4.5.1\*** In buildings other than those equipped throughout with an existing, complete automatic smoke detection system, smoke alarms shall be installed in accordance with 9.6.2.10, as modified by

31.3.4.5.2, outside every sleeping area in the immediate vicinity of the bedrooms and on all levels of the dwelling unit, including basements.

**31.3.4.5.2** Smoke alarms required by 31.3.4.5.1 shall not be required to be provided with a secondary (standby) power source.

**31.3.4.5.3** In buildings other than those equipped throughout with an existing, complete automatic smoke detection system or a complete, supervised automatic sprinkler system in accordance with 31.3.5, smoke alarms shall be installed in every sleeping area in accordance with 9.6.2.10, as modified by 31.3.4.5.4.

**31.3.4.5.4** Smoke alarms required by 31.3.4.5.3 shall be permitted to be battery powered.

2003 IPMC Currently Adopted in Bangor 2015 Versions has slightly different wording but the same requirements.

[F] SECTION 704

FIRE PROTECTION SYSTEMS

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

704.2 Smoke alarms. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars 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.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.

704.3 Power source. In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that 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 building wiring without the removal of interior finishes.

704.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.

2. Smoke alarms in existing areas are not required to be interconnected where 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 interconnection without the removal of interior finishes.

Lance H Sanborn  
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Bangor Fire Department  
73 Harlow Street  
Bangor ME 04401

O 207-992-4180  
C 207-735-6468

Thanks,

Melissa

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*Melissa Christie*  
Office Coordinator  
Training & Affiliate Groups

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60 Community Drive  
Augusta, ME 04330  
1-800-452-8786 ext.2299  
207-623-8428  
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**Mark Your Calendars!**

**2017 Municipal Technology Conference**  
**May 11, 2017**  
DoubleTree by Hilton  
So. Portland, ME

**3rd Annual Municipal HR & Management Conference**  
**June 15, 2017**  
Thomas College  
Waterville, ME