

EXHIBIT 54

Adopt the *International Building Code 2009* with the following amendments:

1) Amend Section 101.1 as follows:

101.1 Title. These regulations shall be known as the *Building Code* of ~~[NAME OF JURISDICTION]~~ the State of New Hampshire hereinafter referred to as "this code."

2) Amend Section 101.4 as follows:

101.4 Referenced codes. The other codes listed in §101.4.1 through §101.4.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. ~~The provisions of the *ICC Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.~~ **DELETED FROM 2009 EDITION**

101.4.1 Gas. ~~The provisions of the *International Fuel Gas Code* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.~~ Fuel gas systems shall comply with the New Hampshire Fire Code, Saf-C 6000 (NFPA 54).

101.4.2 Mechanical. The provisions of the *International Mechanical Code* shall apply to the installation, alterations, repairs, and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators, and other energy-related systems.

101.4.3 Plumbing. The provisions of the *International Plumbing Code* shall apply to the installation, *alteration*, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. ~~The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.~~ Private sewage disposal systems shall comply with RSA 485-A:29-44.

101.4.4 Property maintenance. ~~The provisions of the *International Property Maintenance Code* shall apply to existing structures and premises; equipment and facilities; light, ventilation, space heating, sanitation, life and fire safety, hazards; responsibilities of owners, operators and occupants; and occupancy of existing premises and structures.~~ [RESERVED]

101.4.5 Fire prevention. The provisions of the *International Fire Code* New Hampshire Fire Code Saf-C 6000 (NFPA 1) shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in

the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.6 Energy. The provisions of the *International Energy Conservation Code* shall apply to all matters governing the design and construction of buildings for energy efficiency.

3) Amend Section 102.6 as follows:

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the New Hampshire Fire Code Saf-C 6000 (NFPA 1 and NFPA 101), the ~~International Property Maintenance Code or the International Fire Code~~, or as is deemed necessary by the *building official* for the general safety and welfare of the occupants and the public.

4) Delete Table 503 in its entirety and add the NH modified Table 503.

[insert link]

5) Delete Section 506 in its entirety and add the following:

SECTION 506.0 AREA MODIFICATIONS

506.1 General: The provisions of this section shall modify the area limitations of Table 503 as herein specified.

506.2 Street frontage increase: Where a building or structure has more than 25 percent of the building perimeter fronting on a street or other unoccupied space, the area limitations specified in Table 503 shall be increased 2 percent for each 1 percent of such excess frontage. The unoccupied space shall be on the same lot or dedicated for public use, shall not be less than 30 feet (9144 mm) in width and shall have access from a street by a posted fire lane not less than 18 feet (5486 mm) in width.

506.3 Automatic sprinkler system: Where a building is equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1, the area limitations specified in Table 503 shall be increased 200 percent for one- and two-story buildings and 100 percent for buildings more than two stories in height.

Exception:

1. The automatic sprinkler system increase shall not apply to buildings with an occupancy in Use Group H-1.
2. The automatic sprinkler system increase shall not apply to any fire area with an occupancy in Use Group H-2 or H-3.

506.4 Multistory buildings: The area limitations for buildings two stories in height shall be the same as the area limitations provided in Table 503 for one-story buildings. In buildings over two stories in height, the area limitations of Table 503 for one-story buildings shall be reduced as specified in Table 506.4.

Table 506.4 REDUCTION OF AREA LIMITATIONS

Number of Stories	Type of Construction		
	IA	IB	All Others
1	None	None	None
2	None	None	None
3	None	5%	20%
4	None	10%	20%
5	None	15%	30%
6	None	20%	40%
7	None	25%	50%
8	None	30%	60%
9	None	35%	70%
10	None	40%	80%

6) Amend Section 716.5.3 as follows:

716.5.3 Shaft enclosures. Shaft enclosures that are permitted to be penetrated by ducts and air transfer openings shall be protected with *approved* fire and smoke *dampers* installed in accordance with their listing.

Exceptions:

1. *Fire dampers* are not required at penetrations of shafts where:
 - 1.1. Steel exhaust subducts are extended at least 22 inches (559 mm) vertically in exhaust shafts, provided there is a continuous airflow upward to the outside; or
 - 1.2. Penetrations are tested in accordance with ASTM E 119 or UL 263 as part of the fire-resistance-rated assembly; or
 - 1.3. Ducts are used as part of an *approved* smoke control system designed and installed in accordance with Section 909 and where the *fire damper* will interfere with the operation of the smoke control system; or
 - 1.4. The penetrations are in parking garage exhaust or supply shafts that are separated from other building shafts by not less than 2-hour fire-resistance-rated construction.
2. In Group B and R occupancies equipped throughout with an *automatic sprinkler system* in accordance with Section 903.3.1.1, *smoke dampers* are not required at penetrations of shafts where:
 - 2.1. Kitchen, clothes dryer, bathroom and toilet room exhaust openings are installed with steel exhaust subducts, having a minimum wall thickness of 0.187-inch (0.4712 mm) (No. 26 gage);
 - 2.2. The subducts extend at least 22 inches (559 mm) vertically; and
 - 2.3. An exhaust fan is installed at the upper terminus of the shaft that is powered continuously in accordance with the provisions of Section 909.11, so as to maintain a continuous upward airflow to the outside.
3. *Smoke dampers* are not required at penetration of exhaust or supply shafts in parking garages that are separated from other building shafts by not less than 2-hour fire-resistance-rated construction.
4. *Smoke dampers* are not required at penetrations of shafts where ducts are used as part of an *approved* mechanical smoke control system designed in accordance with Section 909 and where the *smoke damper* will interfere with the operation of the smoke control system.
5. *Fire dampers* and *combination fire/smoke dampers* are not required in kitchen and clothes dryer exhaust systems when installed in accordance with the *International Mechanical Code*.

6. Fire and smoke dampers shall not be installed in laboratory fume hood exhaust systems.

7. Fire and smoke dampers shall not be installed in hazardous exhaust systems.

7) Amend Section 716.5.4.1 as follows:

716.5.4.1 Corridors. A *listed smoke damper* designed to resist the passage of smoke shall be provided at each point a duct or air transfer opening penetrates a *corridor* enclosure required to have smoke and draft control doors in accordance with Section 715.4.3.

Exceptions:

1. *Smoke dampers* are not required where the building is equipped throughout with an approved smoke control system in accordance with Section 909, and *smoke dampers* are not necessary for the operation and control of the system.

2. *Smoke dampers* are not required in *corridor* penetrations where the duct is constructed of steel not less than 0.019 inch (0.48 mm) in thickness and there are no openings serving the *corridor*.

3. Fire and smoke dampers shall not be installed in laboratory fume hood exhaust systems.

4. Fire and smoke dampers shall not be installed in hazardous exhaust systems.

8) Amend Chapter 10 as follows:

1001.1 General. Buildings or portions thereof shall be provided with a *means of egress* system as required by RSA 155-A:2, II (NFPA 101) this chapter. ~~The provisions of this chapter shall control the design, construction and arrangement of *means of egress* components required to provide an *approved means of egress* from structures and portions thereof.~~

9) Amend Section 2902.02 as follows:

2902.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for *dwelling units* and *sleeping units*.

2. Separate facilities shall not be required in structures or tenant spaces with a total *occupant load*, including both the employees and customers, of 15 or less.

3. Separate facilities shall not be required in mercantile occupancies in which the maximum *occupant load* is 50 or less.

4. Separate employee facilities shall not be required in occupancies in which 15 or less people are employed.

5. Separate facilities shall not be required in assembly occupancies that serve food with a total *occupant load*, including both employees and customers, of less than 25.

10) Amend Section 3412.2 as follows:

3412.2 Applicability. Structures existing prior to ~~{DATE TO BE INSERTED BY THE JURISDICTION. NOTE: IT IS RECOMMENDED THAT THIS DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION}~~ September 14, 2003, in which there is work involving *additions, alterations or changes of occupancy* shall be made to conform to the requirements of this section or the provisions of Sections 3403 through 3409. The provisions in Sections 3412.2.1 through 3412.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.

- 11) Adopt Appendix C in its entirety per 101.2.1:

**APPENDIX C
GROUP U – AGRICULTURAL BUILDINGS**

Adopt the *International Existing Building Code 2009* with the following amendments:

1) Amend Section 101.1 as follows:

101.1 Title. These regulations shall be known as the *Existing Building Code* of ~~[NAME OF JURISDICTION]~~ the State of New Hampshire hereinafter referred to as "this code."

2) Amend Section 101.4 as follows:

101.4 Applicability. This code shall apply to the *repair, alteration, change of occupancy, addition* and relocation of all *existing buildings*, regardless of occupancy, subject to the criteria of Sections 101.4.1 and 101.4.2.

101.4.1 Buildings not previously occupied. A building or portion of a building that has not been previously occupied or used for its intended purpose in accordance with the laws in existence at the time of its completion shall comply with the provisions of the *International Building Code* or *International Residential Code*, as applicable, for new construction or with any current permit for such occupancy.

101.4.2 Buildings previously occupied. The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, ~~the *International Fire Code*, or the *International Property Maintenance Code*~~, or as is deemed necessary by the *code official* for the general safety and welfare of the occupants and the public.

3) Amend Section 1201.2 as follows:

1201.2 Conformance. The building shall be safe for human occupancy as determined by the New Hampshire Fire Code Saf-C 6000 (NFPA 1 and NFPA 101) ~~*International Fire Code* and the *International Property Maintenance Code*~~. Any *repair, alteration, or change of occupancy* undertaken within the moved structure shall comply with the requirements of this code applicable to the work being performed. Any field-fabricated elements shall comply with the requirements of the *International Building Code* or the *International Residential Code* as applicable.

4) Amend Section 1301.2 as follows:

1301.2 Applicability. Structures existing prior to ~~[DATE TO BE INSERTED BY THE JURISDICTION. NOTE: IT IS RECOMMENDED THAT THIS DATE COINCIDE WITH THE EFFECTIVE DATE OF BUILDING CODES WITHIN THE JURISDICTION]~~ September 14, 2003, in which there is work involving *additions, alterations* or *changes of occupancy* shall be made to conform to the requirements of this chapter or the provisions of Chapter 4 through 12. The provisions in Sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, S and U. These provisions shall not apply to buildings with occupancies in Group H or I.