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NEW HAMPSHIRE STATE BUILDING CODE
PROPOSED AMENDMENT FORM

RE-15-45-19

Proposed amendment submitted by:

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Date: April 12, 2019

Company /Organization: NHBOA; NHHBA; NH Fire Marshal

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Applicable code: IRC 2015

Applicable code section: R302.13

Current language (including section numbers and include prior adopted amendments):

R302.13 Fire protection of floors. Floor assemblies that are not required elsewhere in this code to be fire-resistance rated, shall be provided with a ½-inch (12.7 mm) gypsum wallboard membrane, 5/8-inch 916 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member. Penetrations or openings for ducts, vents, electrical outlets, lighting, devices, luminaires, wires, speakers, drainage, piping and similar openings or penetrations shall be permitted.

Exceptions:

1. Floor assemblies located directly over a space protected by an automatic sprinkler system in accordance with Section P2904, NFPA 13D, or other approved equivalent sprinkler system.
2. Floor assemblies located directly over a crawl space not intended for storage or fuel-fired appliances.
3. Portions of floor assemblies shall be permitted to be unprotected where complying with the following:
 - 3.1 The aggregate area of the unprotected portions does not exceed 80 square feet (7.4 m squared) per story.
 - 3.2 Fire blocking in accordance with Section R302.11.1 is installed along the perimeter of the unprotected portion to separate the unprotected portion from the remainder of the floor assembly.
4. Wood floor assemblies using dimension lumber or structural composite lumber equal to or greater than 2-inch by 10-inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance.
5. Floor assemblies having been protected by an alternative method that has been evaluated as meeting the criteria for alternative methods of construction as outlined in R104.11.
6. The provisions of R302.13 shall not become effective until eighteen months after the effective date of adoption of the International Residential Code 2015 Edition

Check one: Delete without substitution: Add new section to read as follows:
 Delete section and substitute the following: Revise section to read as follows:
~~Show Line through material to be deleted.~~ Underline material to be added.

Proposed code language: **Revise as described above**

Reason / Justification:

As evidenced by prior BCRB exhibits RE-15-28-17 ("not approved") and RE 15-29-17 ("approved", but superseded and incorporated herein), this section of the IRC 2015 entitled "Fire Protection of Floors" has been a longstanding point of contention between State regulators, stakeholders and other interested parties. The above-redlined text represents a compromise achieved through the cooperation of the NH Fire Marshal's Office, the NH Building Officials Association and the NH Home Builders Association.

The proposed compromise would adopt IRC 2015 Section R302.13 in its entirety, but add subparagraphs (5) and (6).

Subparagraph (5) recognizes that alternative means of compliance otherwise consistent with the spirit and intent of the section may exist now or in the future, including those means and methods publicized by the Engineered Wood Association (apawood.org).

Subparagraph (6) delays the effective date of enforcement of section R302.13 for 18 months to provide a reasonable period of time for educational outreach and lending practices to help the building trades and homeowners adjust to strict compliance.

Financial Analysis/Fiscal Impact of proposed amendment:

If left un-amended, this section would otherwise deprive homeowners/builders of a single-family detached dwelling of alternative and equivalent means and methods of compliance or responsible decision-making that may be more cost-effective than forcing strict compliance. The planned expiration of subparagraph (6) provides a reasonable period of time for educational outreach and lending practices to help the building trades and homeowners adjust to strict compliance.

For Building Code Review Board Use:

Not approved: _____ Approved: ✓ Approved with modifications: _____

Scheduled Hearing Date: 4-29-2019 Exhibit #: RE-15-45-19

Chair's Signature: [Signature] Date: 4-29-2019

Printed Name: Shawn G. Bergeron Sr