



DEPARTMENT OF ADMINISTRATIVE SERVICES

PROPOSED CHANGE OF THE CONNECTICUT STATE
BUILDING CODE AND FIRE SAFETY CODE

DATE SUBMITTED: _____

CODE INFORMATION

Proposed change to: ☐ Building Code ☐ Fire Safety Code

Code section(s): _____

PROPONENT INFORMATION

Name: _____ Representing: _____

Telephone: _____ Email: _____

Address: _____
Street Address Town State Zip Code

PROPOSAL INFORMATION

Description of change and reason for change (attach additional information as needed):

Proposed text change, addition or deletion (attach additional information as needed):

Supporting data and documents (attach additional information as needed)

☐ **This Proposal is original material.** (Note: Original material is considered to be the submitter's own idea based on or as a result of his/her own experience, thought or research and, to the best of his/her knowledge, is not copied from another source.)

☐ **This Comment is not original material, its source (if known) is as follows:** (such as material / code development proposal from a prior development cycle or proposal submitted to model code committee etc.)

☐ **I would like to make an in-person presentation of my proposal.**

Release

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Proponent's Signature

Printed Name

PLEASE EMAIL (PREFERRED) TO DAS.CodesStandards@CT.GOV OR MAIL OR FAX (SEE BELOW)

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Affirmative Action/Equal Opportunity Employer*

12/29/16

Re: Sections 503.1 through 503.6 & Appendix D

Historical Background

Connecticut first established uniform statewide requirements for fire apparatus access roads in new construction and existing premises with the adoption of Part V of the 2005 Connecticut Fire Safety Code based on NFPA 1. The requirements continued unchanged with the adoption of the 2010 and all subsequent Connecticut State Fire Prevention Codes, also based on NFPA 1.

During the same time frame, the requirements for fire apparatus access roads within the Part III of the 2005 and 2015 Connecticut Fire Safety Codes were deleted, establishing the Connecticut State Fire Prevention Code as the sole document governing this topic.

In 2018, the requirements for access roads were not deleted from Part III of the Connecticut Fire Safety Code and were also retained in the Connecticut State Fire Prevention Code resulting in different requirements applicable to new construction under the Fire Safety Code and existing premises under the Fire Prevention Code. Having the requirements for fire apparatus access roads in both documents seemed to make sense however, since Part III of the Fire Safety Code is based on an ICC source document and the Fire Prevention Code is based on an NFPA source document the Connecticut Codes contained similar but different requirements.

Due to the differing and often more restrictive requirements in the 2018 CFSC Part III, many new construction projects required a modification request be applied for to use the more definitive requirements of the Fire Prevention Code in lieu of those in the Fire Safety Code; the majority of which were approved by the State Fire Marshal.

This prompted the replacement of the requirements in the 2022 CFSC Part III based on the IFC with the text from the Fire Prevention Code based on NFPA 1. In doing so, the requirements for fire department access roads remained consistent from their first appearance in Connecticut Codes in 2005 to the present; except for the short span that the 2018 CFSC Part III was in effect during which time those requirements were readily modified by OSFM.

Consequences of Retaining the IFC Requirements

By not maintaining consistent fire department access road requirements established in prior Codes, countless projects approaching the building permit application phase after having barely survived extremely contentious wetland and zoning hearings with site plans based on the NFPA 1 version requirements would be forced to resubmit prior to these commissions under the newer more restrictive CFSC requirements. In many cases, the membership of the commissions has changed most likely resulting in a denial of a re-application where previously the commissions approved the application by a slim margin. Additionally, many of the denied

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wetland and zoning applications were appealed to and overturned by the Superior Court at tremendous legal expense; some lasting as long as five years.

Nothing is more contentious than the affordable or *work force* housing projects in accordance with Section 8-30g of the Connecticut General Statutes especially in affluent communities that oppose such developments. In that the statute exempts the project from compliance with Town zoning rules, the statute requires the Town to demonstrate that the project, if built, negatively effects the health, welfare, and safety of the projects occupants and the community. In towns where opposition to the project is extreme, zoning commissions have rejected the project citing subjective conditions and speculative harm. In almost all of the zoning commission denials appealed to the Superior Court, the Courts have ruled against the Town in favor of the developer clearly stating that compliance with the Connecticut Building and Fire Safety Codes is the standard of care.

Changing the fire department access requirements that have been consistently applied in Connecticut since 2005 will cause extreme hardship. Granted every Code cycle places different or additional requirements on a proposed building design, i.e. sprinkler mandates, increased fire alarm performance, energy efficiency, etc.; all of which can be designed into the project at a cost. This is significantly less impactful than changing the rules governing fire department access applicable at the time of building permit application versus the rules applicable years earlier during the wetlands and zoning phases.