

Amendment to HB 244

1 Amend the bill by replacing section 4 with the following:

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3 4 State Building Code. Amend RSA 155-A:2, VI to read as follows:

4 VI. For any municipality which has not adopted an enforcement mechanism under RSA
5 ~~[674:51]~~ **155-A:3**, the contractor of the building, building component, or structure shall notify the
6 state fire marshal concerning the type of construction before construction begins excluding one- and
7 2-family dwellings. Any municipality that has adopted an enforcement mechanism under RSA
8 ~~[674:51]~~**155-A:3** may contract with a local enforcement agency or a qualified third party for these
9 services as an alternative to establishing the position of building ~~[inspector]~~ **official** under RSA
10 ~~[674:51, III(e)]~~ **155-A:3**, and such agency or third party shall have the same authority as a building
11 ~~[inspector]~~ **official** as provided in that section.

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13 Amend the bill by replacing section 7 with the following:

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15 7 Local Amendments; Application. Amend RSA 155-A:3, VII to read as follows:

16 VII. The state building code established in RSA 155-A shall be effective in all municipalities,
17 as defined in RSA ~~[672:10]~~ **155-A:1, XI**, in the state, without further local modification, except as
18 permitted by this section, and shall be enforced as provided in RSA 155-A:7. Notwithstanding any
19 other provision of law, no local legislative body shall enact or enforce any ordinance, adopt or enforce
20 any rule, or implement any regulation that amends, overrides, or deviates from the state building
21 code, or addresses any subject included in the state building code, except as otherwise permitted by
22 this section or other statute, on or after the effective date of this section. All municipalities with an
23 enforcement mechanism shall enforce and comply fully with the state building code without further
24 local modification, except as otherwise permitted by this section or other statute

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26 Amend the bill by replacing section 8 with the following:

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28 8 Local Amendments; Application. Amend RSA 155-A:3, IX and X to read as follows:

29 IX. No municipality ~~[or local land use board]~~, as defined in RSA ~~[672:7]~~ **155-A:1, XI**, shall
30 enforce any ordinance, regulation, code, or administrative practice requiring the installation of
31 automatic fire suppression sprinklers in any new or existing detached one- or two-family dwelling
32 unit in a structure used only for residential purposes, or in existing buildings that contain, or will

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1 contain, no more than four dwelling units, unless fire sprinklers are existing or are required by a
2 nonresidential occupancy.

3 **X.** Notwithstanding any provision of law to the contrary, no municipality, *as defined in*
4 *RSA 155-A:1, XI*, [~~or local land use board~~] shall enforce any existing ordinance, regulation, code, or
5 administrative practice requiring the installation or use of automatic fire suppression sprinklers in
6 any manufactured housing unit, as defined in RSA 674:31, situated in a manufactured housing park,
7 as defined in RSA 205-A:1, II. Nothing in this paragraph shall affect the ability of an applicant for a
8 local land use permit to include the installation of fire suppression sprinklers pursuant to RSA
9 674:36, [~~IV~~] **VI**, or affect the validity or enforceability of such inclusion.

10 [~~X.~~] **XI.** No county, city, town, village district, local land use board, or other subdivision of
11 this state shall adopt any ordinance, regulation, code, or administrative practice that prohibits or
12 restricts a person or entity from installing a safe and commercially available heating or other energy
13 system of their choice, or from engaging the services of an energy provider of their choice to install,
14 connect, or resupply such energy system. In this paragraph, "energy provider" means a qualified
15 and licensed distributor of oil, propane, natural gas, or other company or entity that supplies energy
16 or related services to the public.

17 **XII.** *The building official shall have the authority to order occupants to vacate a*
18 *building, structure, or other premises if the inspector determines, based on reasonable*
19 *information and belief, that there is imminent danger of failure or collapse, or the*
20 *condition of such premises otherwise constitutes a clear and imminent danger to the life or*
21 *safety of occupants or other persons and that protection of life or safety requires vacating*
22 *the premises. Such an order shall be subject to the procedures of RSA 147:16-a, which shall*
23 *supersede inconsistent provisions contained in any local code or code adopted by reference.*

24 **XIII.** *The provisions of paragraph I shall not apply to a residence which is occupied*
25 *by the owner and his or her immediate family, unless the condition of such premises*
26 *constitutes a clear and imminent danger to the life or health of persons other than the*
27 *occupant or occupants.*