

**BEFORE THE FIRE PREVENTION COMMISSION  
FOR THE STATE OF DELAWARE**

**ORDER**

The State Fire Prevention Commission (“the Commission”) held a properly noticed, public hearing on June 20, 2006 to receive comment on proposed additions, revisions, deletions, modifications and reservations to Commission Regulations. (Attached to this Order as “Exhibit A”). The attendance sheets and transcribed minutes of this hearing are attached to this Order as Exhibit “B” in lieu of a statement of the summary of the evidence. Similarly, those written comments received by the Commission and introduced into evidence at the hearing of the State Fire Marshal and other speakers are attached to this Order as Exhibit “C”.

Based upon the evidence received, the Commission finds the following facts to be supported by the evidence:

1. There was no public comment received concerning the following proposed regulations:

Part I, Annex A	
Part I, Annex C	
Part I, Chapter 2	Definitions
Part I, Chapter 5	Listing-Approval and accreditation
Part II, Chapter 2	Fire Barriers
Part II, Chapter 3	Special Fire Safety Provisions for Physically Handicapped People
Part II, Chapter 4	Automatic Sprinkler Systems
Part II, Chapter 5	High Rise and Large Area Building
Part II, Chapter 6	Standard for Fire Flow for Fire Protection
Part II, Chapter 7	Minimum Requirements for Water Suppliers
Part III, Chapter 4	Licensing Regulations for Fire Alarm Signaling System
Part III, Chapter 5	Licensing Regulations for Fire Suppression Systems
Part III, Chapter 6	Licensing Regulations for Fire Alarm Signaling System In-House Licensee’s
Part III, Chapter 7	Licensing Regulations for Fire Suppression System In-House Licensee’s

Part V, Chapter 1	General Fire Safety Requirements
Part VI, Chapter 1	Intermediate Care Facilities for the Mentally Retarded
Part VI, Chapter 3	Apartment Buildings/Multi-Family Dwellings
Part VI, Chapter 7	Haunted Houses
Appendix D	

2. The Commission heard testimony concerning the provision of NFPA 70, the National Electric Code, Article 210.12 and Article 550.25(B)(Annex B) regarding arc-fault circuit interrupting protection. The Commission notes the testimony of the State Fire Marshal's Office that the proposed regulations do not amend the Regulations adopted in 2003 other than to confirm the language of the Delaware Regulation to the 2005 edition of NFPA 70.

#### **THE LAW**

The State Fire Prevention Commission's rulemaking authority is provided by 19 Del. C. § 6603 that states:

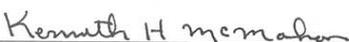
“The State Fire Prevention Commission shall have the power to promulgate, amend and repeal regulations for the safeguarding of life and property from the hazards of fire and explosion. Such regulations, amendments or repealers shall be in accordance with standard safe practice as embodied in widely recognized standards of good practice for the fire prevention and fire protection and shall have the force and effect of law in the several counties, cities and political subdivision of the State.

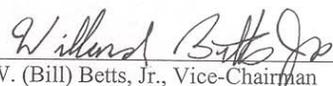
**DECISION**

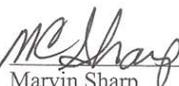
The Commission hereby adopts the Regulations as proposed with the alterations and clarifications noted in this Order and a copy of the Regulations as adopted is attached to this Order. The Commission relies upon its expertise in this area and the evidence presented in the testimony and documents submitted especially the submission on behalf of the State Fire Marshal and witnesses in support of the changes.

It is so Ordered this 18<sup>th</sup> day of July, 2006.

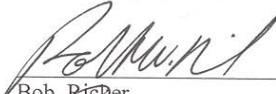
**STATE FIRE PREVENTION COMMISSION**

  
Kenneth H. McMahon, Chairman

  
W. (Bill) Betts, Jr., Vice-Chairman

  
Marvin Sharp

  
Frances J. Dougherty

  
Bob Richter

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Daniel W. Magee

  
Raymond Stevens