

JAN 18 2013

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# A BILL FOR AN ACT

RELATING TO FIRE PROTECTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The purpose of this Act is to clarify and  
2 update the authority of the county fire chief to review plans  
3 and specifications for the construction, alteration, and other  
4 installations for buildings or properties, as authorized by each  
5 county. This section of statute used language that was  
6 applicable over thirty years ago. Building occupancies and  
7 classifications have since changed and each county fire chief's  
8 plans review authority varies depending on agreements with their  
9 respective building officials. This Act broadly defines the  
10 fire chief's jurisdictional authority to review building plans  
11 for all counties as determined by the adopted fire code.

12           SECTION 2. Section 132-9, Hawaii Revised Statutes, is  
13 amended to read as follows:

14           "**§132-9 Submission of building plans for approval.**

15 ~~[Before work commences upon the construction of any building of~~  
16 ~~the types hereinafter enumerated, or upon an alteration or~~  
17 ~~addition to any building, the plans and specifications for the~~  
18 ~~work shall be submitted to the county fire chief. Neither the~~



1 ~~person causing the construction, alteration, or addition to be~~  
2 ~~made, nor the person's architect or agent, shall authorize,~~  
3 ~~order, or permit the work thereon to start and no contractor,~~  
4 ~~builder, or other person may start the work, before approval of~~  
5 ~~the plans and specifications by the county fire chief.~~

6 ~~The foregoing provisions shall be applicable to buildings,~~  
7 ~~the whole or any part of which are being, or intended to be,~~  
8 ~~used as:~~

- 9 ~~(1) Hospitals, sanitariums, asylums, children's nurseries,~~  
10 ~~and other such institutions;~~
- 11 ~~(2) Hotels, apartment houses, rooming houses, and tenement~~  
12 ~~houses; provided that when any such building to be~~  
13 ~~constructed or upon which alterations or additions are~~  
14 ~~to be made, is only one story high, with living~~  
15 ~~accommodations permanently designated and intended for~~  
16 ~~less than twenty-five persons, this section shall not~~  
17 ~~apply;~~
- 18 ~~(3) Schools, churches, auditoriums, halls, gymnasiums,~~  
19 ~~dance halls, nightclubs, factories, office buildings,~~  
20 ~~stores, and all other such buildings where persons~~  
21 ~~work, congregate, or assemble; provided that when any~~  
22 ~~such building to be constructed, or upon which~~



1 ~~alterations or additions are to be made, is only one~~  
2 ~~story high, and is permanently designated and intended~~  
3 ~~for a total accommodation at any one time of less than~~  
4 ~~one hundred persons, this section shall not apply.]~~

5 The county fire chief shall be authorized by each county's  
6 jurisdiction to require plans, and/or documentation to show  
7 compliance with the fire code and fire and life safety standards  
8 for the following:

- 9 (1) Construction, alteration, rehabilitation, or addition  
10 to any building, structure, or property;
- 11 (2) Change in use of buildings or property, or change in  
12 occupancy; and
- 13 (3) Installation or alteration of any procedures,  
14 equipment, property or structure for any life safety  
15 or fire protection systems.

16 No work shall be authorized or started before plans and  
17 specifications are approved by the county fire chief and other  
18 agencies having jurisdiction, and the issuance of approved  
19 permits.

20 This section shall be applicable to the State and the  
21 counties, and other municipal subdivisions, and their officers,  
22 as well as to private persons."



# S.B. NO. 426

**Report Title:**

State Fire Council Package; Fire Chiefs; Fire Code; Life Safety Standards; Construction

**Description:**

Authorizes the county fire chiefs to require that various types of construction comply with the fire code.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

