

# FIRES

## CHAPTER 179

H. B. No. 666  
(Poling, Fossum)

### CODE FOR CONSTRUCTION AND REMODELING OF SCHOOL BUILDINGS

#### AN ACT

Providing for a fire prevention code for the construction and remodeling of school buildings.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1. Application.)** The provisions of this Act shall apply to the construction of all new school buildings, additions thereto, and remodeling of school buildings, both public and private, at either the elementary or secondary level and shall further apply to all instructional areas of all institutions of higher education.

**§ 2. Definitions.)** A public school building shall be defined as a building used wholly or in part as an instructional or recreational facility by students. A private school is defined as an educational institution which students attend in lieu of public school attendance.

**§ 3. Plans and Specifications.)** Plans and specifications for all new public school buildings and for all additions to and remodeling of existing public school buildings shall be submitted for approval to the superintendent of public instruction or to the board of higher education. In the case of private school plans and specifications they shall be submitted directly to the state fire marshal for approval.

**§ 4. Employment of Registered Architects and Engineers.)** All plans and specifications for construction, except agricultural sheds and barns, the monetary worth of which is twelve thousand dollars or more, must be prepared by and the construction supervised by architects or engineers registered in this state. The architect or engineer shall be legally responsible for designing the building in accordance with the provisions of this Act of adequate strength so as to resist fire, and constructing the building in a workmanlike manner, according to the plans and specifications as approved. All projects where the tax money exceeds two thousand dollars must be submitted

to the department of public instruction or the board of higher education for approval.

**§ 5. State Fire Marshal.)** The state fire marshal shall approve plans and specifications for school buildings before construction is started. The state fire marshal shall review public school building plans upon referral from the superintendent of public instruction or the board of higher education. In the case of private school buildings the architects and engineers preparing plans shall submit them to the state fire marshal for approval. It shall be the duty of the architect or engineer preparing the plans or supervising the construction to notify the state fire marshal when the building has been completed.

**§ 6. Fire Protection Requirements.)** The following are the fire protection requirements which shall be included in the plans and specifications submitted for approval:

1. Plans for additions to existing buildings shall include portions of the building being added to, showing existing exits and room occupancies which may be affected by such additions.
2. The following types of construction shall be as defined in the National Building Code recommended by the National Board of Fire Underwriters:
  - (a) Wood frame or ordinary construction shall be limited to one story buildings of not over two classrooms;
  - (b) Unprotected noncombustible or heavy timber construction shall be limited to one story buildings;
  - (c) Protected noncombustible construction shall be limited to two story buildings; and
  - (d) Fire resistive construction—type A and type B shall not be limited in the size of the building.

For the purpose of determining the type of construction a basement shall be considered a story when one half or more of its clear height is above grade. All basement framing, walls, partitions and ceilings shall be noncombustible type of construction.

3. In one story construction, any open combustible attic sections regardless of depth of area between the ceiling and roof, shall be subdivided into areas not exceeding three thousand square feet, with noncombustible partitions.
4. Two hour fire walls with B labeled fire door with at least one and one-half hour rating and frame assemblies in openings shall be provided between school buildings of combustible construction and buildings of noncombustible construction.

5. Forming materials which are left in place as part of the permanent structure must be noncombustible in buildings of more than one story and noncombustible in one story buildings in those areas required to be of a fire resistant nature.
6. In case of questions as to the interpretation of the law as to fire resistant materials, fire ratings established by the National Board of Fire Underwriters and the National Bureau of Standards shall be used as a guide.
7. Subdivisions of a building of mixed occupancy which are separated by standard four hour fire walls shall be classified as separate buildings; and further provided that any opening shall be protected by Class A three hour closures.
8. In buildings where a fire resistive ceiling constitutes an essential part of a floor or roof assembly to meet the required fire resistance rating, it shall be installed as tested and may have openings to accommodate noncombustible piping, ducts or electrical outlets. The aggregate area of such openings in the ceiling shall not exceed one hundred square inches for each ninety square feet of ceiling area, unless such equipment was a part of the test assembly. All duct openings larger than one hundred square inches shall be protected with approved noncombustible fire dampers.

#### **§ 7. Shops and Industrial Arts.)**

1. Automotive shops and farm mechanics shops shall not be located beneath any other part of the school unless separated by a four hour rated construction assembly from the rest of the school building unless the shops are protected with approved automatic sprinklers.
2. Shop units shall be vented with at least six air changes per hour, and where dust from certain types of equipment becomes a fire hazard, separate exhaust systems shall be provided to discharge it either to the atmosphere or to specially designed dust collectors. All motors and equipment shall be dust type.
3. All shop or industrial arts areas not covered by subdivision one shall be segregated from the remainder of the building by at least a one hour separation, and any opening shall be protected by a B labeled fire door of one hour rating.
4. When one story shop and industrial arts structures over one thousand square feet in area, having a combustible roof deck, are connected to a multi-story school building, all exposed windows above the one story roof deck shall be steel frame glazed with one-fourth inch wired glass.

5. When spray coating operations are planned, provision shall be made for an approved booth or a separate room to meet the requirements of the National Fire Protection Association's pamphlet No. 33, and all electrical fixtures, wiring and outlets shall comply with the National Electrical Code for such locations.

**§ 8. Auditorium Stage Area Protection.)**

1. All material and equipment on the stage shall be flame-proofed.
2. The top of unit loft stages shall have a ventilator or ventilators which can be opened manually and automatically by a heat actuating device. This ventilator or ventilators shall be of noncombustible construction and have an aggregate clear area of opening not less than one-eighth the area of the stage.
3. Where thirty-five millimeter motion picture projectors are used, the motion picture booth construction shall comply with the State Electrical and Motion Picture Code.

**§ 9. Corridors.)** The aggregate width of required corridors leading to any exit shall be at least equal to the required width of the exit. Where several corridors lead to an exit, each shall have a width suitable for the travel which it may be called on to accommodate. Required corridors serving classrooms shall not be less than eight feet wide in the clear. Locker doors swinging into corridors shall not at any point in their swing reduce the clear effective width of the corridor to less than eight feet, nor shall drinking fountains or other equipment, fixed or movable, be so placed as to obstruct the required minimum eight foot width. All corridor lockers shall be constructed of noncombustible material.

**§ 10. Exits.)** There shall be a minimum of two exits remote from each other from every floor. All doors from classrooms and other student occupied rooms shall enter the corridors between exits or there shall be direct egress to the outside from the rooms.

If a balcony seating capacity is to exceed five hundred persons, three separate exits must be provided. When a balcony is divided by a folding wall into two teaching areas, a connecting door shall be placed in this wall or other provisions made so that both portions of the balcony will have two approved means of egress.

Required exit doors shall be side hinged swing doors only. No required exit travel shall be through openings protected with sliding, folding, or roll down doors.

At least one exit or stairway shall be within one hundred feet measured along the line of travel from the corridor door of every room used by pupils. The basis of exit requirements is a unit designated as a "unit of exit door width" which is defined as a twenty-two inch clear width.

The minimum number of units of exit door width from the first, or entrance story, shall be as follows:

1. One story buildings: One unit for each one hundred pupils or fraction thereof. Where the number of pupils cannot readily be determined, figure one pupil per forty square feet of gross floor area. One additional unit for each one thousand square feet of floor area of the gymnasium or multi-purpose room.
2. One additional unit for each one thousand square feet of floor area of the auditorium.
3. Multi-story buildings: One unit for each required unit of stairway width from upper floors.
4. One additional unit for each one hundred pupils of the first or entrance story. Where the number of pupils cannot readily be determined, figure one pupil per forty square feet of gross floor area.
5. One additional unit for each one thousand square feet of floor area of gymnasium or multi-purpose room.
6. One additional unit for each one thousand square feet of floor area of auditorium.

A door which leads from a classroom to a corridor shall be not less than thirty-six inches wide. Any single door that serves as an exit directly to the outside from a corridor shall be not less than thirty-six inches wide. Where double doors are used, with or without a mullion, each door shall be not less than thirty inches wide.

The required exterior exit doors from all traffic corridors shall be equipped with panic hardware. All required exit doors from places of public assembly shall be equipped with panic hardware or push-pull hardware with no locking or latching devices. In all cases in which a doorway used for exit purposes from a public assembly area has a pair of doors, either or both of which are equipped with hardware for locking and holding, such hardware actuating the top and bottom bolts on the standing leaf shall be of the panic hardware type. Supplemental exterior doors from corridors, places of public assembly, and the exterior doors of individual classrooms shall be equipped with classroom hardware, nonlockable against egress or panic hardware.

If exterior doors and adjacent side lights are glazed for visibility, such glazing shall be tempered glass or wired glass,

unless such glazing is located at least six inches above the opening hardware.

Vestibules shall be at least as wide as the required exit corridor.

Exit doors shall be not less than six feet, eight inches in height.

Required exit doors shall swing outward with exit travel.

The distance from any point within a place of public assemblage shall not be in excess of one hundred fifty feet, measured by the nearest available exit route, to the exterior exit of the building. This one hundred fifty feet total shall include distance traversed within the room, ramps or stair runs, if any, and corridor and lobby distance. Not more than sixty feet of the one hundred fifty feet maximum for any required exit route shall consist of corridor and lobby distance.

Separate exits shall be provided from stage and wings, without entering the auditorium or gymnasium.

The swing of room doors into corridors shall be in the direction of egress and shall not encroach upon the clear required width of the passageway at the termination of its swing. No door shall project more than eight inches into the corridor at the termination of its swing. Where the provision of sufficient depth for a full recess is not feasible, doors shall be hung flush with the face of the corridor walls so that they may swing one hundred eighty degrees against the walls in the direction of normal egress travel to the nearest exit.

The number and location of exits from any area shall be determined by the occupancy of that area and the nature of its use.

Student occupied rooms having a normal occupancy in excess of one hundred students shall have two means of egress. This category includes music rooms, libraries, and similar facilities.

Student occupied rooms above the first floor level having an inherent fire hazard with a student occupancy in excess of twenty-five shall have two means of egress. This category includes shops, laboratories, cooking areas of homemaking suites, and other similar facilities.

Auditoriums, gymnasiums, study halls, and cafeterias are considered as places of public assembly and shall have exits as set forth herein, if designed for spectator assembly, shall also be treated as places of public assembly.

When two exits are required to be provided for a classroom at least one shall be to a corridor or to the building exterior. The second exit may be through an adjoining class-

room, with a connecting door swinging in the direction of egress and being nonlockable in that direction. When two exits are required they shall be separated from each other by a distance of not less than one-half the longest dimension of the room. No required exit from a place of public assembly may be through another occupied area.

Double action doors shall not be permitted in any exitway. Exit hardware from early elementary grade rooms to the outside shall be installed low enough for easy operation by the children.

Locks shall be operated from the inside at all times.

Fire doors and frames equipped with door closers shall be provided as follows:

1. Doors to stairways from non-student occupied corridors or tunnels serving storage areas shall be B labeled.
2. Doors from student occupied floors to stair-shafts and stairways shall be C labeled.
3. Interior doors to heater and fuel rooms, incinerator rooms, projection booths, transformer rooms, attics, certain storage rooms, shop and industrial arts areas, certain fan rooms where there is a flame, and in openings to vertical shafts shall be B labeled, and other hazardous rooms as defined in the National Building Code.
4. Openings in fire walls shall be equipped with at least B labeled fire doors and frame assemblies.

Enclosed courts used for pupil activities shall be considered as classrooms and comply with sections applying to classrooms, or shall be provided with at least two properly separated nonlockable exit doors located within one hundred feet of an exterior exit of the building. If a court would normally have an occupancy in excess of one hundred persons, it shall be classed as a place of public assembly, and shall have sufficient exits as required by section ten hereof. A public assemblage court shall come under the exit requirements of interior public assemblage areas as set out in section ten of this Act. No required exit from a public assembly court may be through another instructional area. No required exits shall be through enclosed courts.

When additions, remodeling or alterations are being made to an existing building which obstructs required exits, emergency exit facilities shall be provided for use during the time that the building is being occupied.

Rooms housing groups of children, handicapped by immobility—orthopedic rooms— shall be provided with approved

exits direct to the outside, and/or completely equipped with automatic sprinkler system, Underwriters' approved.

§ 11. Stairways.) All required stairways and stair shafts between floors shall be continuous to the outside at or above grade. All exits from floors above the first shall be by inside stairways, and no permanent exterior fire escapes shall be permitted.

There shall be at least two stairways or exits remote from each other, accessible from the corridor door of every room used by pupils. Two stairways with a common termination point or intermediate landing shall be considered as a single stairway.

Stairways or exits shall be located so that the distance of travel from any classroom will not be more than one hundred feet to reach the nearest stairway or exterior exit. Stairways shall be so located with respect to corridors, passages and rooms, that there will be no dead ends in which pupils might be trapped.

A unit of stairway or exit door width shall be twenty-two inches. All width shall be taken clear between, but not including, handrails, and newels.

No required stair shall be less than forty-four inches wide.

One unit of stairway width, twenty-two inches, shall be required for each sixty pupils or major fraction thereof on floors above or below the first. Where the number of pupils on a floor cannot readily be determined, figure one pupil per forty square feet of gross floor area. Each run of stairs shall be of constant width throughout its length.

No stairways shall have a continuous run with a rise of more than nine feet between landings. Ramps may be substituted for runs, and shall conform to the requirements of the National Building Code.

No riser shall be more than seven inches in elementary schools, and seven and one-half inches in other school buildings. No tread shall be less than ten inches, exclusive of the nosing.

No winders shall be permitted on stairs required for pupil use.

Width and depth of landings shall be not less than the width of the stairs they serve. No door shall open immediately at the top or bottom of a flight of stairs for pupil use, but a landing shall be provided between such door or doorway and the stairs. Doors, during their swing, shall not reduce the effective width of stairs or landings and when open shall not interfere with the full use of stairs.

Handrails varying between two feet six inches and two feet nine inches in height shall be provided upon both sides of every stair. The vertical distance to the top of the horizontal balustrade shall be not less than forty-two inches from the floor or nosing. Handrails that do not continue around landings shall terminate by being returned against the wall. If a stairway wide enough for four lanes of traffic is used, there must be center handrails.

All stairways serving more than two stories above exit level shall be enclosed stair shafts of one hour fire rating.

Required stair shaft enclosures shall have a one hour fire rating and doors shall be C labeled fire doors and frame assemblies, except doors from non-classroom floors, storage and tunnel areas shall have B labeled fire doors and frame assemblies. Stair shaft enclosures may have windows in the exterior walls for natural light, providing they are not subject to fire exposure from nearby buildings.

Stairway or stair shaft doors serving classroom floors shall have panic hardware only.

Storage spaces over or under stairs shall be of fire resistant construction and shall not open into the stairwell or exit space.

Stairs shall be adequately lighted by artificial means.

No ramp for pupil use shall exceed one foot of rise in ten feet of run. Regulations pertaining to landings shall not apply to ramps. Ramp floors shall have a non-slip finish.

**§ 12. Interior Finish.)** Ceilings in multi-story buildings shall be class A finish in all areas.

Ceilings in one story buildings shall be class A finish in corridors and exitways and rooms exceeding two hundred persons capacities. In all other occupied rooms, ceilings must have class A finish, which may be applied directly to wood roof decks if desired, and provided that such rooms have partition construction, except doors, of at least three-fourths hour fire rating separating them from corridors. Such a separation may have one-fourth inch wired glass in steel framing as part of the partition, with not more than ten percent of the aggregate wall area being combustible.

Walls in multi-story buildings shall be class A finish in corridors and exitways, except that in lobbies not over ten percent of the aggregate wall and ceiling area may be combustible. Walls in one-story buildings shall be class A or B finish in corridors and exitways. In all schools, walls of rooms exceeding two hundred persons capacities shall be class A finish. In all other occupied rooms, walls shall have class B

finish provided such rooms have partition construction, except doors, of at least three-fourths hour fire rating separating them from corridors. Such a separation may have one-fourth inch wired glass in steel framing as a part of the partition. Where the wall finish is class A or B with not more than a permissible ten percent of the aggregate wall area being combustible, or where outside exits are provided from every room in the affected section, such partitions will not be required.

Flame spread ratings are those of the basic materials themselves and will not be affected by ordinary varnish or paint, but any highly combustible material application such as lacquer pyroxylin base materials shall not be used. This section shall not apply to buildings protected with approved automatic sprinklers.

The alphabetical classification of finish materials used is for flame spread and combustibility and shall be in accordance with the National Fire Protection Association designation of the American Society for Testing Materials, ASTM E-84 50T, "A" having a flame spread of 0 - 20, "B" having a flame spread of 20 - 75, or under Federal Specifications SS-A-118b.

### § 13. Fire Extinguishers.)

1. Fire extinguishers shall be of a type approved by the Underwriters' Laboratories, Inc.
2. They shall be housed in a special cabinet or wall rack readily accessible at all times.
3. Extinguishers shall be sized and located as prescribed in the current edition of National Fire Protection Association's pamphlet No. 10.
4. Fire extinguishers of class A type shall be located in corridors, storage areas of combustible materials, wood shops, on auditorium stages.
5. Fire extinguishers of B and C type shall be located in heating plant rooms, shops, homemaking rooms, chemistry and physics laboratories, kitchens and garages.
6. No vaporizing liquid type fire extinguishers shall be installed in any school.
7. It is important to have the right type of fire extinguisher readily available for the kind of fire likely to occur in the particular location. The following information shall be used in selecting and locating fire extinguishers:
  - (a) Standpipes and Hose Racks. General use throughout school buildings. Class A. Do not use for electrical and flammable liquid fires.
  - (b) Carbon Dioxide. Near flammable liquid storage, electrical equipment panels and science laboratory

equipment. Class B and C. Good for use on flammable liquid or electrical fires. Not good for deep seated or smoldering fires.

- (c) Dry Chemical. Near flammable liquid storage, garages, auto mechanics shops. Class B and C. Good for use on flammable liquid fires and electric fires.

Class A fire extinguishers are water under pressure to be used for corridor, storage areas, work shops, areas of combustible materials, and auditoriums.

Where the source of fuel for boiler or furnace rooms, or garages, is liquefied petroleum gas, natural gas or fuel oil, a ten pound dry chemical type of extinguisher shall be used.

For kitchens, science rooms, chemistry rooms, laboratories, at least five pound CO<sup>2</sup> type is recommended.

Standpipe system shall be installed in buildings over two stories in height above the highest grade and more than ten thousand square feet in area per floor.

**§ 14. Storage Rooms — Ordinary Combustibles.)** Any general or janitorial area for combustible materials shall have walls and ceilings of noncombustible materials, and when having a floor area in excess of one hundred square feet, or having any opening exposing a corridor, shall be segregated from the remainder of the building with material having a one hour fire rating.

**§ 15. Storage Rooms—Flammable Liquids and Dangerous Chemicals.)** Approved storage rooms shall be provided for hazardous chemicals and liquids for laboratories. The walls, ceilings and openings shall be constructed of noncombustible material of at least one and one-half hour rating, and any opening protected with class B fire door shall be of at least one and one-half hour rating and frame assemblies, except that where amounts of such chemicals and liquids are so minor as to make the construction of such a room impractical, closed cabinets of noncombustible construction shall be provided and located in the laboratories where used, so as not to obstruct any of the means of egress from the room.

Storage rooms for major bulk storage of hazardous chemicals and liquids shall be separated from the rest of the building by construction which will afford at least a one and one-half hour fire rating. Such room shall have at least one wall an outside wall of the building and shall be ventilated to the outside. All electrical switches, outlets, wiring, and fixtures shall be in accordance with the state electrical law, rules and regulations and the current edition of the National Electrical Code for such locations. Any doorway exposed to

the interior of the building shall be ramped or curbed to a height that will contain any flammable liquid spill within the room, as set out in section seven of this Act.

Flammable liquid dispensing equipment for fueling of vehicles shall be located in relation to a building containing a classroom so that no portion of any vehicle being served or the dispensing equipment, fill pipe or vent shall be closer than forty feet to such building.

Powered grounds equipment shall be stored in separate buildings of noncombustible construction or in separate rooms meeting the construction requirements of automotive and farm shops.

**§ 16. Fire Alarm Systems.)** Every new school building and every addition to a school building shall be equipped with an approved electrical, closed circuit, supervised fire alarm system with the supply fused ahead of the main switch or disconnect, except that this shall not apply to one room schools. The fire alarm disconnect shall be painted red and clearly marked DISCONNECT, and the control panel shall have an automatic outlet which can be connected to city system.

New fire alarm systems in additions shall be connected to systems in the existing building so that all stations throughout the entire building will actuate all alarms.

Fire alarm systems shall be painted red in color and be clearly marked FIRE ALARM.

Manual stations shall be located in the kitchen area, public assembly areas, auditorium stages, main office, and in corridors, preferably near exits or stairs, so that it will not be necessary to travel more than one hundred feet from the door of any room to reach a station on the same floor. A pull box station shall be located in the main office of a school or elsewhere if directed by the local fire authorities and connected directly to the local fire department in localities which are equipped with a pull box system. This pull box station may be independent of the fire alarm system in the school building. Automatic fire alarm systems shall be provided in boiler and furnace rooms, kitchens, and dangerous storage rooms over one hundred square feet in area.

Fire alarm signals shall be located throughout the building so that persons in all areas of the building, including high noise areas, will be able to hear the signal.

Fire alarm signals shall have an auditory sound distinct from other signals in use in the building for other purpose.

All fire alarm equipment shall be listed for its intended use by Underwriters' Laboratories, Inc.

The wiring in the fire alarm systems and controls shall be installed in a metallic raceway.

§ 17. **Sprinklers.**) Where more than two sprinklers are required to any one room or area, the supply shall be taken from ahead of any control valve to the domestic supply, and the installation made in accordance with the current edition of National Board of Fire Underwriters' pamphlet No. 13.

§ 18. **Heating Plant Rooms.**) The heating plant room shall not be located beneath any portion of the building. This shall include heating plants for heating swimming pool water.

An existing heating plant room located beneath a portion of a building shall not be expanded in heating capacity without the permission of the state fire marshal.

Heating plant room walls shall be of fire resistant construction extending to the roof and having a one hour fire rating, except where the heating plant room is not connected to the school building.

Where air ducts or pipes penetrate heating plant room walls, the construction around the pipes or ducts shall be such as to prevent fire spread through or around the openings. At the point where heating ducts pierce heating plant room walls, they shall be equipped with heat actuated metal fire dampers. All heating rooms with flame producing equipment shall be provided with a light weight panel window, or skylight.

A permanent outside vent, which cannot be closed off, shall be incorporated in the design of heating plant rooms so that adequate air for proper combustion will be assured, or a type of automatic system which would permit a supply of fresh air, before combustion appears.

At any opening between the heating plant room and the rest of the building there shall be installed a fire door and frame assembly with at least a one hour fire rating, equipped with an automatic closer. Such door opening into a corridor shall be hung to swing into the heating plant room.

Heating plant rooms containing furnaces or boilers with three hundred thousand B.T.U.'s per hour shall have one approved exit. Heating plant rooms containing furnaces or boilers having in excess of three hundred thousand B.T.U.'s shall have two approved exits remotely located.

§ 19. **Incinerators.**) If an incinerator is installed in the furnace or boiler room, or in other rooms meeting the same requirements of construction and fire protection as a furnace or boiler room, the incinerator shall be vented with a class A flue or stack. Incinerators shall not be fed from a corridor.

**§ 20. Ventilation.)** Where power exhaust ventilation is to be used, there must be provision for an air supply equal to the amount exhausted, especially in areas housing combustion equipment, lest negative pressures be developed, resulting in reversal of drafts in chimney flues. A heat actuated type of fire damper, or heat actuated device shall be installed to open the air circulating device on the fan.

Plenum spaces used for warm air supply or heating and ventilation supply ducts shall be constructed of noncombustible materials.

Fans and air handling equipment used for recirculating air in more than one classroom or single instructional area shall have a heat actuated device which shall open the electrical circuit supplying the fan motor.

Where recirculating air duct systems serve two or more floors, fire dampers shall be installed either, first, at each direct outlet or inlet and in each branch duct at its junction with the main vertical duct, or, second, at each point where a floor is pierced.

Where ducts pass through fire walls, heat actuated fire dampers shall be installed in accordance with National Fire Protection Association's pamphlet No. 90A.

All return ducts and plenum spaces shall be constructed of noncombustible materials. Where fans and air actuated equipment is used for recirculating the air in more than one classroom or instructional area, the electrical circuit shall be broken by a device operated from a fire alarm system.

**§ 21. Hot Water.)** Hot water heaters producing flame, other than booster heaters, for dishwashers, shall be installed in the heating plant room or in an enclosure of like fire resistant construction.

**§ 22. Gas.)** A master valve shall be provided in each room where there are three or more gas outlets. This valve shall be conveniently located and easily distinguishable so that it may be readily closed when the room is not in use. If a room is not in use, the administrator's desk and the laboratory proper should be kept under lock and key.

A shut-off valve shall be provided outside the building.

All gas heaters shall be vented unless approved by the state fire marshal.

All liquefied petroleum gas, or bottled gas, installations shall be in accordance with the state regulations for such use. When such gas supply lines are placed in tunnels, they shall be without joints and the tunnels shall have forced ventila-

tion, except when the length of the line does not exceed the width of the tunnel ventilation does not have to be provided.

**§ 23. Electrical.)** All electrical wiring and apparatus shall be installed in accordance with the provisions of the state electrical law, rules and regulations, and local ordinances, and the current edition of the National Electrical Code.

Electrical plans and specifications shall be reviewed by the state electrical board upon referral by the superintendent of public instruction, the board of higher education, and the state fire marshal, and complete inspection service with final certificate of compliance covering the electrical installation shall be made by the same agency, or by the local inspection authority where available.

In all school buildings an emergency lighting system shall be provided. All required exits shall be designated with illuminated exit signs and directional exit signs shall be installed where needed.

Exit emergency lighting circuits shall be installed in a metal raceway on separate circuits placed ahead of the main line switch.

No other wiring shall be in the same raceway or conduit which serves the exit and emergency lighting.

**§ 24. Change of Occupancy.)** When an approved designated occupancy is changed during planning or construction to another occupancy, all of the fire protection requirements for the new occupancy shall be complied with.

**§ 25. Reference Data.)** The latest edition of the following data shall be used as reference and as an aid in the interpretation of this Act:

1. National Building Code—National Board of Fire Underwriters.
2. Building Exit Code—National Fire Protection Association.
3. Fire Ratings of Materials—National Board of Fire Underwriters—United States Bureau of Standards.
4. National Electrical Code—National Board of Fire Underwriters—National Fire Protection Association.

Approved March 11, 1961.

## CHAPTER 180

H. B. No. 594  
(Poling)

## COMBUSTIBLES AND EXPLOSIVES

## AN ACT

To provide for the promulgation of safety rules and regulations concerning the storage, sale and use of combustibles and explosives, and providing a penalty for failure to comply with the safety rules and regulations.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

**§ 1.) State Fire Marshal Has Authority to Promulgate Rules and Regulations—Penalty for Violation.)** The state fire marshal shall have the authority to promulgate safety rules and regulations for the storage, sale, and use of combustibles and explosives, not otherwise provided by law. Any person who willfully shall fail, neglect, or refuse to comply with the safety rules and regulations as promulgated by the state fire marshal shall be punished by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than thirty days, or by both such fine and imprisonment, provided, that in no event shall the rules and regulations adopted by the state fire marshal be more restrictive than those promulgated by the National Fire Codes of the National Fire Protection Association and shall not apply to the transportation of explosives and dangerous articles regulated by the Interstate Commerce Commission. Provided, however, that the state fire marshal may make reasonable provision for the application or nonapplication thereof.

Approved March 1, 1961.

## CHAPTER 181

H. B. No. 929  
(Delayed Bills Committee)

CONTRACTS FOR FIRE PREVENTION IN UNORGANIZED  
TOWNSHIPS AND MILL LEVY

## AN ACT

To amend and reenact section 18-06-11 of the North Dakota Century Code, relating to contracts for fire protection in unorganized townships and mill levy, and declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Amendment.)** Section 18-06-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-06-11. Contracts for Fire Protection in Unorganized Townships—Mill Levy.)** Upon the petition of a majority of the electors in one or more unorganized townships or in school districts comprising unorganized townships, the board of county commissioners shall have authority to execute contracts with any incorporated municipality, rural fire protection districts, or rural fire departments of this or adjacent states to provide for the prevention of, the protection from, and the extinguishment of fires within such unorganized townships or districts in such manner as may be agreed upon by the board of county commissioners and the governing body of the municipality contracting to perform such services. The board of county commissioners is further authorized to levy a sum sufficient for the reimbursement of municipalities performing such services upon all taxable property within the unorganized townships or school district comprising unorganized townships for which such fire protection service is provided. The mill levy provided herein shall be over and above any mill levy limitation provided by law and shall be collected and paid as other county taxes are collected and paid. The proceeds of such tax shall be placed by the county treasurer in a special fund for the reimbursement of the municipality providing fire protection service to the unorganized townships or districts from which the tax is collected, and shall be disbursed upon the order of the board of county commissioners.

§ 2. **Emergency.)** This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved March 2, 1961.

## CHAPTER 182

S. B. No. 254  
(Becker, Hystad)

## RURAL FIRE PROTECTION DISTRICTS

## AN ACT

To amend and reenact sections 18-10-07, 18-10-08, and 18-10-09 of the North Dakota Century Code, relating to rural fire protection districts.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. **Amendment.)** Section 18-10-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-10-07. Fire Protection Policy To Be Determined.)** The board of directors shall have the power and duty to determine upon a general fire protection policy for the district and shall annually estimate the probable expense for carrying out such contemplated program. Such estimate shall be certified by the president and secretary to the proper county auditor or county auditors, on or before June thirtieth of each year, who shall levy a tax not to exceed five mills upon the taxable property within said district for the maintenance of the fire protection district for the fiscal year as provided by law. Said tax shall be:

1. Collected as other taxes are collected in the county;
2. Turned over to the secretary-treasurer of the rural fire protection district, who shall have a surety bond in the amount of at least five thousand dollars;
3. Placed to the credit of the rural fire protection district so authorizing the same by its secretary-treasurer in a state or national bank; and
4. Paid out upon warrants drawn upon the fund by authority of the board of directors of the district, bearing the signature of the secretary-treasurer and the counter-signature of the president of the rural fire protection district.

In no case shall the amount of tax levy exceed the amount of funds required to defray the expenses of the district for a period of one year as embraced in the annual estimate of expense including the amount of principal and interest upon the indebtedness of the district for the ensuing year.

§ 2. **Amendment.)** Section 18-10-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-10-08. Indebtedness of District Limited.)** No district shall become indebted for more than ten thousand dollars, nor for an amount that may not be payable from ten annual maximum tax levies as authorized by section 18-10-07. Within the limits herein authorized, the district shall have power to borrow money at a rate not in excess of six percent per annum and to issue appropriate evidences of indebtedness thereof.

§ 3. **Amendment.)** Section 18-10-09 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

**18-10-09. Funds Collected To Be Deposited.)**

1. All funds collected on behalf of the district through the levy of taxes;
2. All donations, contributions, bequests, or annuities, and
3. All borrowed money received by or on behalf of the district shall be deposited in a state or national bank to the credit of the district fund and shall be drawn out only by warrant.

Such claim voucher shall be authorized by the board of directors and shall bear the signature of the treasurer and the countersignature of the president of such district. The secretary-treasurer of the district shall, at each annual public meeting of the district, present a financial report concerning the affairs of the district. Once each year at the same time the state examiner examines other county records he shall examine the records of the secretary-treasurer of the rural fire protection district, and the cost of such examination shall be paid by such district. The secretary-treasurer of the rural fire protection district shall bring his records to the office of the county auditor for such examination.

Approved March 11, 1961.

## CHAPTER 183

H. B. No. 644

(Saugstad, Haugland, Lowe, Aamoth,  
(Stockman, Johnston, Breum, Wilkie, Hauf)

## TAXATION FOR RURAL FIRE PROTECTION

## AN ACT

To create and enact section 18-10-15 of the North Dakota Century Code, relating to taxation of certain property for rural fire protection purposes.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1.) Section 18-10-15 of the North Dakota Century Code is hereby created and enacted to read as follows:

**18-10-15. Payments by Certain Organizations.)** Any club, lodge, chapter, charitable home, dormitory, state or county fair association, or like organization located within a rural fire protection district and outside the boundaries of any city or village, shall pay to the board of directors of the district annually for fire protection such amount as may be agreed upon, but not less than twenty-five percent of the amount which would be levied against such property under the provisions of this chapter if such property were subject to such levy.

Funds derived from such payments shall be expended by the district for fire fighting supplies and equipment and the training of fire department personnel. The board of directors shall file an annual statement with the state fire marshal showing the names of persons or organizations making payments and the amounts of payments made under this section.

Approved March 11, 1961.