

8.1.24 CHAPTER 24 – ONE AND TWO FAMILY DWELLINGS

24.1.1 Application

(Amd) 24.1.1.1

The Rhode Island Fire Code's application to one (1) and two (2) family dwellings is strictly limited to the installation of smoke and carbon monoxide smoke detection as outlined in sections §§ 24.6.1 through 24.6.3.1.7 as outlined below. §§ 24.1 through 24.5.1.2 may therefore only be otherwise utilized by the AHJ if they are specifically referenced by §§ 24.6.1 through 24.6.3.1.7 or are referenced by, and mandated under, a separate occupancy section of this code.

(Add) 24.6.1

Compliance with State Building and Minimum Housing Codes.

(Add) 24.6.1.1

All one (1) and two (2) family dwellings shall remain subject to, and comply with, the State Building Code SBC-2, [510-RICR-00-00-2](#) adopted pursuant to R.I. Gen. Laws Chapter 23-27.3 *et seq.*

(Add) 24.6.1.2

All one (1) and two (2) family dwellings shall further remain subject to, and comply with the Minimum Housing Standards outlined in R.I. Gen. Laws § 45-24.2-1 *et seq.*

(Add) 24.6.2 Installation of Smoke and Carbon Monoxide Alarms-New and converted buildings.

(Add) 24.6.2.1

All buildings hereinafter constructed or converted for residential occupancy, including mobile and modular homes, shall be provided with smoke and carbon monoxide alarms, installed in accordance with §§ 24.3.4.1.1 and 24.3.4.2 and NFPA 72, 2019 edition, at the direction and to the satisfaction of the AHJ.

(Add) 24.6.2.1.1

The above smoke and carbon monoxide alarms may be installed as either separate or combination units approved by the AHJ.

(Add) 24.6.2.1.1.1

In addition, an interconnected smoke alarm(s) shall be installed in all communicating attached garages for which a building permit was issued on or after January 1, 2019.

EXCEPTION: Rate-of-rise heat detectors, fixed-temperature heat detectors or other type detectors or alarms, listed for these applications, may be installed in situations where physical, environmental or other conditions would render smoke alarms impractical.

(Add) 24.6.2.1.2

The above smoke and carbon monoxide alarms may be either hardwired or wireless units approved by the AHJ.

(Add) 24.6.2.1.3

The local fire authorities certified by the State Fire Marshal as prescribed in R.I. Gen. Laws § 23-28.2-6, in cooperation with the local Building Code Officials, shall enforce the provisions of this Chapter.

(Add) 24.6.2.1.4

Compliance with the above provisions shall be considered a prerequisite to the approval, by the fire authority, of any certificate of occupancy issued by the building official pursuant to R.I. Gen. Laws § 23-27.3-120.

(Add) 24.6.2.1.5

It shall be the responsibility of the owner to maintain in operable condition smoke and carbon monoxide alarms, installed as required pursuant to this Chapter, and the owner shall make operable, within seven (7) days after being notified by certified mail by the occupant and/or enforcement official, any inoperable alarms.

(Add) 24.6.2.1.5.1

If the owner fails to make the alarms operable within the required seven (7) days, the tenant may cause the alarms to be made operable if the reasonable total reasonable cost of making the repairs does not exceed the sum of fifty dollars (\$50.00), and the tenant may deduct from his or her rent the actual reasonable cost of repairs not to exceed fifty (\$50.00).

(Add) 24.6.2.1.5.2

The payment of the reasonable costs, outlined in § 24.6.2.1.5.1, shall not exempt the owner from the payment of fines for violation of this Code as outlined in R.I. Gen. Laws § 23-28.3-9.

(Add) 24.6.3 Installation of Smoke and Carbon Monoxide Alarms-Existing Buildings

(Add) 24.6.3.1

All occupied residential properties, including mobile homes, shall, at the responsibility of the seller before title to the property is transferred, be provided with smoke and carbon monoxide alarms, installed in accordance with NFPA 72, 2019 edition, , at the direction and to the satisfaction of the AHJ.

(Add) 24.6.3.1.1

The above smoke and carbon monoxide alarms may be installed as either separate or combination units approved by the AHJ. Carbon monoxide alarms required by § 24.6.3 shall be in accordance with § 24.3.4.2.

The requirements for the above smoke alarms and carbon monoxide alarms or detectors shall be as follows:

(Add) 24.6.3.1.1.1 Homes built in 1976 or prior:

- (1) Smoke Alarms shall be installed outside sleeping areas and on each level of the dwelling unit(s) (including basements).
- (2) Smoke Alarms shall be permitted to be battery operated.
- (3) Smoke Alarms are not required to be interconnected.
- (4) Carbon Monoxide Alarms or Detectors shall be installed outside sleeping areas.
- (5) Carbon Monoxide Alarms or Detectors shall be permitted to be battery operated.
- (6) Carbon Monoxide Alarms or Detectors are not required to be interconnected.

(Add) 24.6.3.1.1.2 Homes built on and after January 1, 1977 through December 31, 2001:

- (1)Smoke Alarms shall be installed outside sleeping areas and on each level of the dwelling unit(s) (including basements).
- (2)Smoke Alarms shall be hard-wired with battery backup.
- (3)Smoke Alarms shall be required to be interconnected.
- (4)Carbon Monoxide Alarms or Detectors shall be installed outside sleeping areas.
- (5)Carbon Monoxide Alarms or Detectors shall be permitted to be battery operated.
- (6)Carbon Monoxide Alarms or Detectors are not required to be interconnected.

(Add) 24.6.3.1.1.3 Homes built on and after January 1, 2002 through February 19, 2004:

- (1)Smoke Alarms shall be installed outside sleeping areas and on each level of the dwelling unit(s) (including basements).
- (2)Smoke Alarms shall be hard-wired with battery backup.
- (3)Smoke Alarms shall be required to be interconnected.
- (4)Carbon Monoxide Alarms or Detectors shall be installed outside sleeping areas.
- (5)Carbon Monoxide Alarms or Detectors shall be hard-wired with battery backup.
- (6)Carbon Monoxide Alarms or Detectors shall be required to be interconnected.

(Add) 24.6.3.1.1.4 Homes built on and after February 20, 2004 through December 31, 2012:

- (1)Smoke Alarms shall be installed inside each bedroom, outside sleeping areas and on each level of the dwelling unit(s) (including basements) (In accordance with NFPA 72 (2002 Edition)).
- (2)Smoke Alarms shall be hard-wired with battery backup.
- (3)Smoke Alarms shall be required to be interconnected.
- (4)Carbon Monoxide Alarms or Detectors shall be installed outside each sleeping area.
- (5)Carbon Monoxide Alarms or Detectors shall be hard-wired with battery backup.
- (6)Carbon Monoxide Alarms or Detectors shall be required to be interconnected.

(Add) 24.6.3.1.1.5 Homes built on and after January 1, 2013 through September 30, 2016:

- (1)Smoke Alarms shall be installed in accordance with NFPA 72 (2010 Edition).
- (2)Carbon Monoxide Alarms or Detectors shall be installed in accordance with NFPA 720 (2012 Edition).

(Add) 24.6.3.1.1.6 Homes built on and after October 1, 2016:

- (1)Smoke Alarms shall be installed in accordance with § 24.3.4.1.1 and NFPA 72 (2013 Edition).

(2) Carbon Monoxide Alarms or Detectors shall be installed in accordance with § 24.3.4.2 and NFPA 720 (2015 Edition).

(Add) 24.6.3.1.1.7 Notwithstanding the provisions of §§ 24.6.3.1.1.1 through 24.6.3.1.1.6, newly constructed or converted bedrooms or sleeping areas shall comply with the requirements for new construction in place at the time of construction or conversion.

(Add) 24.6.3.1.2

The above smoke and carbon monoxide alarms may be installed as follows:

(1) Where the above provisions require both smoke alarms and carbon monoxide alarms or detectors, combination devices shall be permitted and deemed acceptable.

(2) Where smoke alarms are required, household fire alarm systems, in accordance with NFPA 72 (2019 Edition), shall be permitted and deemed to be acceptable.

(Add) 24.6.3.1.3

The local fire authorities shall enforce the provisions of this chapter. The State Fire Marshal's Office may enforce the provisions of this chapter when so requested to by the local authority or when the local authority is either unwilling or unable to fulfill its obligations under this chapter.

(Add) 24.6.3.1.3.1

The local fire authority that performs smoke and carbon monoxide alarm inspections in all residential occupancies shall, at the time of the inspection, be allowed to charge a thirty dollar (\$30.00) fee for the inspection of any residential occupancy. The responsibility of this charged fee will be borne by the seller on each occurrence before title to the property is transferred. A sixty dollar (\$60.00) fee will be allowed for any subsequent re-inspection of the same residential occupancy due to improper installation, wrong location, improper wiring method, or the seller's failure to maintain a mutually agreed upon appointment with the local fire authority that performs the inspection function. The fees collected by the local fire authority shall be used for fire prevention purposes in that particular city, town, fire district, or other municipal subdivision.

(Add) 24.6.3.1.4

At the time of the transfer of title, the seller must provide the purchaser with a certificate from the fire department for the community in which the dwelling is located stating that the smoke and carbon monoxide alarms have been inspected within one hundred twenty (120) days prior to the date of sale and has been determined to be in good working order. The fire department for the community in which the dwelling is located must inspect the smoke and carbon monoxide alarms of the dwelling within ten days of a request from the owner. The inspection may be conducted by qualified personnel of the department or the State Fire Marshal's Office. Neither the fire department nor the State Fire Marshal shall be liable for any damage caused by the subsequent malfunction of a smoke alarm or carbon monoxide alarm which it inspected.

(Add) 24.6.3.1.4.1

Transfers of real property are exempt from compliance with the provisions of 24.6.2 and 24.6.3 if:

- (1) The property being transferred does not contain residential dwellings;
- (2) Within the past six (6) months a certificate of use or occupancy has been issued for the property being transferred;
- (3) The property being transferred currently maintains the smoke and carbon monoxide alarms, as certified by the local AHJ, in accordance § 24.6.3.1.3.1;
- (4) The property being transferred is uninhabitable without the issuance of a certificate of use and occupancy;
- (5) The property is being transferred pursuant to a foreclosure sale, a tax sale, as a redemption of a tax sale, or in lieu of foreclosure, and provided further that the requirements of this Chapter 24 shall be met prior to the re-occupancy of the property;
- (6) The property is being transferred by operation of law, or pursuant to an order of any United States Court, or any Superior or Family Court of the State of Rhode Island, and provided further that such court order specifically directs non-compliance with this Chapter 24; or
- (7) The property is being acquired by the State for demolition and will not be sold or used by the State for residential purposes.

(Add) 24.6.3.1.5

It shall be the responsibility of the owner to maintain in operable condition smoke and carbon monoxide alarms, installed as required pursuant to this Chapter, and the owner shall make operable, within seven (7) days after being notified by certified mail by the occupant and/or enforcement official, any inoperable system.

(Add) 24.6.3.1.5.1

If the owner fails to make the alarms operable within the required seven (7) days, the tenant may cause the alarms to be made operable if the reasonable total reasonable cost of making the repairs does not exceed the sum of fifty dollars (\$50.00), and the tenant may deduct from his or her rent the actual reasonable cost of repairs not to exceed fifty dollars (\$50.00).

(Add) 24.6.3.1.6

Owners of existing residential properties, previously required to install smoke alarms, shall maintain those detectors in good operating condition.

(Add) 24.6.3.1.7

Owners of existing residential properties, previously required to install smoke alarms, shall not be required to immediately install the carbon monoxide alarms. However, full compliance with § 24.6 shall be required with the next transfer of title.