

CHAPTER 5

FIRE DEPARTMENT AND PREVENTION REGULATIONS

Article I	Fire Department	5.101 - 5.102
Article II	Reserved for future use	5.201
Article III	Reserved for future use	5.301
Article IV	Reserved for future use	5.401
Article V	Reserved for future use	5.501
Article VI	Fire Department Emergency Medical Services Costs	5.601
Article VII	Blasting	5.701
Article VIII	Alarm Systems	5.801 - 5.802
Article IX	Adopted Fire Codes	5.901 – 5.903

ARTICLE I: FIRE DEPARTMENT

Section 5.101: PERSONNEL

The Fire Department shall consist of a Fire Chief, Deputy Chiefs, fire officers, firefighters, and administrative personnel as recommended by the Fire Chief and approved by the Board of Fire Commissioners.

Section 5.102: AID OUTSIDE CITY

The Fire Chief is authorized to allow department apparatus, vehicles, and/or personnel to provide aid outside the City, in or out of state, for the purposes of extinguishing a fire, rendering other emergency assistance, or performing any detail as requested.

ARTICLE II ARTICLE III, ARTICLE IV and ARTICLE V – *RESERVED FOR FUTURE USE*

ARTICLE VI: FIRE DEPARTMENT EMERGENCY MEDICAL SERVICE COSTS

Section 5.601: FIRE DEPARTMENT EMERGENCY MEDICAL SERVICE COSTS

The rates to be charged for Emergency Medical Services shall be established and adjusted as necessary by the City Manager with approval of the Board of Fire Commissioners. Where applicable, the rates shall be equal to or less than the usual and customary rates, which are charged for those services by private service providers in the geographic area. The rates shall be established pursuant to the following terms and conditions:

- A. Medicare patients shall be charged the current Medicare allowable rate for any Medicare covered service, and Medicare patients are to be responsible for co-pays and deductibles.
- B. The rates may include a fee for mileage traveled by municipal vehicles.
- C. The rates may include a fee for special services provided by the Fire Department such as extrication of individuals from motor vehicles or similar services.
- D. The rates may include a fee for non-emergency transfer of patients from one location to another location.
- E. The rates may contain a provision allowing for a reduction or waiver of the established rates in the case of need or other good cause shown by the recipient of the service.

ARTICLE VII: BLASTING

Section 5:701 BLASTING PERMIT REQUIRED

No person shall perform or cause to be performed any blasting within the City limits unless a Blasting Permit is obtained from the City Engineer. This permit shall not be issued until the following terms and conditions have been satisfied by the applicant:

- A. All abutters within five hundred (500) feet of the area where the blasting will occur shall receive notice by certified mail two full business days (excluding Saturday, Sunday and holidays) in advance of the blasting. The term “abutter” shall be defined in the manner used for the notification of zoning abutters.
- B. That the City Engineer’s office as well as the Building Inspector shall receive the same notice, also sent by certified mail, at least two full business days (excluding Saturday, Sunday and holidays) in advance of the blasting.
- C. The name and address of the blasting company be provided.
- D. The name of a company representative be provided and the twenty-four (24) hour telephone number of the representative; such representative being a person who is capable of responding to claims and issues arising from the blasting performed.
- E. A pre-blast survey shall be completed by the blasting company for an area within five hundred (500) feet of the proposed blasting.
- F. Any reports, measurements or video tapes made in connection with this pre-blast survey or with the subsequent blasting shall be made available upon request to all abutters within five hundred (500) feet of the area.
- G. That the cost of such a pre-blast survey shall be borne by the blasting company.
- H. The Use and Transport License of the hauler shall be designated.
- I. The route of removing blasting material shall be designated.
- J. The location of the blasting shall be designated.
- K. The blasting shall take place within the hours of 8:00 A.M. to 5:00 P.M. Monday through Friday.
- L. An Insurance Certificate shall be posted with the City Engineer in an amount and type deemed appropriate by the City Engineer and the City Attorney.
- M. The Public Works Director is hereby authorized to promulgate blasting rules consistent with the intent of this ordinance, such rules shall become effective on acceptance by the City Council.

ARTICLE VIII: ALARM SYSTEMS

Section 5.801: DEFINITIONS

For the purpose of this Article, the following definitions shall be applicable:

Alarm System: Any assembly of equipment and/or devices which, with or without human involvement, is reasonably calculated to notify either police or fire officials and lead them to believe that there is a situation requiring their urgent attention.

Unfounded Emergency Call: Any response by police or fire officials to the activation of an alarm system, when no objective indication of a situation requiring their urgent attention is found by the responding police or fire offices; false alarm.

Section 5.802: SERVICE FEE

The owner of any premises served by an alarm system shall be obligated to pay a service fee to the City of Portsmouth for unfounded emergency calls to that premises in accordance with the adoption of fees by budget resolution of the City Council in accordance with Chapter 1, Article XVI of the Ordinances of the City of Portsmouth.

ARTICLE IX: FIRE CODE

Section 5.901 FIRE PREVENTION CODE (Amended June 8, 2026)

A. Purpose

The purpose of a fire prevention code is for regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to the life or property in the occupancy of buildings and premises in the City of Portsmouth, and provide for the issuance of permits for hazardous uses or operations.

B. Fire Prevention Code Defined

The City of Portsmouth FIRE PREVENTION CODE, is the State of New Hampshire's Fire Code, as defined by RSA 153:1 and RSA 153:5, which include the currently adopted editions of NFPA-1 – FIRE CODE and NFPA-101 – LIFE SAFETY CODE, published by the National Fire Protection Association, and any additions, insertions, deletions and changes prescribed in the administrative rules of the State of New Hampshire set forth in N.H. Admin Rule Saf-FMO 300 as modified by RSA 153:5 (collectively "State Fire Code").

C. Adoption of Fire Prevention Code

The City of Portsmouth adopts the State Fire Code as its Fire Prevention Code. Copies are on file in the Office of the City Clerk.

Section 5.902 RULES AND REGULATIONS FOR FIRE PROTECTION SYSTEMS AND PERMITS

The Fire Department shall publish and maintain Rules and Regulations for fire protection systems and other permits to ensure compliance with the Fire Prevention Code, including but not limited to the installation, maintenance and operations of all fixed fire protection systems, control of combustible or hazardous material, design of exits and other safety measure.

Section 5.903 FEES

The schedule of fees for permits issued by the Fire Department shall be determined by budget resolution of the City Council in accordance with Chapter 1, Administrative Code, Article XVI, Adoption of Fees, Section 1.1601, Procedure.