

2009
Final Rules Introduction

In the fall of 2008, the International Code Council (ICC) approved a provision to be included in the 2009 International Residential Code, requiring fire sprinklers in new one (1) and two (2) family dwellings. The original purpose of these Arkansas rules at our Spring, 2009 mailing was to adopt new rules to make it clear that Arkansas' position differs from the ICC model; i.e., that fire sprinklers in new one (1) and two (1) family Arkansas dwellings would not be a state-mandated requirement now (nor in the next edition of the Arkansas Fire Prevention Code Rules, likely to be the *2012 Edition*).

The attached, revised rules reflect that purpose and also resolve concerns raised by the Arkansas Home Builders Association. Adhering to public comments and testimony, the State Fire Marshal's Office modified the proposed Rules by deleting former subsection (2), which had merely stated that local jurisdictions could adopt ordinances requiring automatic fire sprinklers in new one (1) and two (2) family dwellings. Removing this language for final rules adoption does not lessen or otherwise impact the authority of local jurisdictions to adopt or reject imposing such a requirement.

The final rules attached are to be effective on and after Thursday, October 1, 2009. Please contact me with questions or comments at the Arkansas State Fire Marshal's Office, 501-618-8604, or at Lindsey.williams@asp.arkansas.gov

Lindsey Williams
Lieutenant, Arkansas State Police
State Fire Marshal

Agency # 0960

DEPARTMENT OF ARKANSAS STATE POLICE

**PROPOSED RULES
FIRE SPRINKLERS FOR ONE AND TWO FAMILY
DWELLINGS**

ARKANSAS STATE POLICE RULES 2009-2

SECTION 1. AUTHORITY; INTENT

(A) These rules are promulgated and adopted in compliance with the Arkansas Administrative Procedure Act, codified as Arkansas Code Annotated §§25-15-201, *et seq.* These Rules are promulgated by the Director (Director) of the Department of Arkansas State Police (Department), who serves by operation of law as the Arkansas State Fire Marshal under the authority granted by Arkansas Act 254 of 1955, codified at A.C.A. §§ 12-13-101 to A.C.A. §12-13-116, as amended, and specifically under A.C.A. §12-13-105(5), and A.C.A. §12-13-107(b).

(B) These Rules are intended to serve as guidelines to continue to assure compliance and continuity with laws and rules to protect Arkansas lives and residential property against the peril of fire and smoke, and primarily to clarify the use and installation of automatic fire sprinkler systems in new one and two family dwellings.

SECTION 2. EFFECTIVE DATE

These rules shall be effective on and after October 1, 2009.

SECTION 3. FIRE PROTECTION SPRINKLERS AND FIRE PREVENTION SPRINKLER SYSTEMS FOR SPECIFIED RESIDENTIAL DWELLINGS

The Director as State Fire Marshal shall not mandate the use and installation of automatic fire sprinkler systems in new one and two family dwellings except as required by other sections of the Arkansas Fire Prevention Code.

SIGNED

Colonel Winford E. Phillips, Director
Department of Arkansas State Police

SEPTEMBER 14, 2009

Date