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H.201

Introduced by Representative Toof of St. Albans Town

Referred to Committee on

Date:

Subject: Internal security and public safety; prevention of fires; fireblocking  
requirements; single-family dwellings

Statement of purpose of bill as introduced: This bill proposes to require all  
new and existing single-family dwellings to have fireblocking installed before  
they are sold.

An act relating to the installation of fireblocking in single-family dwellings

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 20 V.S.A. chapter 173, subchapter 2B is added to read:

Subchapter 2B. Fireblock Requirements for Single-Family Dwellings

§ 2761. SHORT TITLE

This subchapter may be cited as Theo’s Law.

§ 2762. DEFINITIONS

As used in this subchapter:

(1) “Commissioner” means the Commissioner of Public Safety.

(2) “Fireblocking” means building materials or materials approved for  
use as fireblocking in the most recent edition of the International Building

1 Code or by the Commissioner that are installed to resist the free passage of  
2 flame through concealed spaces to other areas of a single-family dwelling.

3 (3) “Single-family dwelling” means a building or structure in which a  
4 family, families, or households reside that contains sleeping facilities and is not  
5 a “public building” as defined in section 2730 of this title or a “condominium”  
6 or “multiple unit dwelling” as those terms are used in section 2729 of this title.

7 § 2763. INSTALLATION

8 (a) A person who constructs a single-family dwelling shall install  
9 fireblocking as required pursuant to the most recent edition of the International  
10 Building Code or other standard approved by the Commissioner.

11 (b) A single-family dwelling that is transferred by sale or exchange shall  
12 contain fireblocking that meets the following requirements:

13 (1) The fireblocking shall be installed:

14 (A) at the floor and ceiling level of any concealed space in a wall or  
15 partition, including any furred spaces;

16 (B) at least every 10 feet horizontally in any concealed space of a  
17 wall or partition, including any furred spaces;

18 (C) in any space connecting a vertical and horizontal space, including  
19 the attachment between a carport, garage, or other outbuilding and the single-  
20 family dwelling;

1           (D) in the concealed space between stair stringers at the top and  
2           bottom of a run of stairs, as well as at a landing on any intervening floor level;  
3           and

4           (E) in any other location identified in rules adopted by the  
5           Commissioner.

6           (2) The fireblocking shall be constructed from one of the following  
7           materials:

8           (A) two-inch nominal lumber;

9           (B) two layers of one-inch nominal lumber with broken lap joints;

10          (C) wood structural panels that are at least 0.719 inches thick with all  
11          joints backed by wood structural panels that are at least 0.719 inches thick;

12          (D) particleboard that is at least 0.75 inches thick with all joints  
13          backed by particleboard that is at least 0.75 inches thick;

14          (E) gypsum board that is at least 0.5 inches thick;

15          (F) cement-based millboard that is at least 0.25 inches thick;

16          (G) batts or blankets of mineral wool, mineral fibers, or other  
17          materials approved by the Commissioner that are securely installed;

18          (H) cellulose insulation that is installed in a form and manner  
19          intended that has been tested for its ability to remain in place and to slow the  
20          spread of fire and hot gases;

1           (I) mass timber that complies with the requirements of section  
2           2304.11 of the 2021 International Building Code; or

3           (J) any other material approved by the Commissioner by rule.

4           (c)(1) The Commissioner may adopt rules as necessary to implement the  
5           provisions of this section.

6           (2) All standards adopted by the Commissioner by rule shall be at least  
7           as protective of the safety of the occupants of a single-family dwelling as the  
8           provisions of the 2021 edition of the International Building Code.

9           § 2764. REQUIREMENTS FOR TRANSFER OF DWELLING

10          (a)(1) The seller of a single-family dwelling, including one constructed for  
11          first occupancy, whether the transfer is by sale or exchange, shall certify to the  
12          buyer at the closing of the transaction that the dwelling has fireblocking  
13          installed as required pursuant to section 2763 of this subchapter.

14          (2) The certification shall be signed and dated by the seller.

15          (b) If the buyer notifies the seller by certified mail within 10 days after the  
16          closing of the transaction that the dwelling lacks fireblocking required pursuant  
17          to section 2763 of this subchapter, the seller shall bring the dwelling into  
18          compliance with the requirements of section 2763 of this subchapter within 60  
19          days after notification.

20          (c) A violation of this section or of the installation requirements of section  
21          2763 of this subchapter shall not create a defect in title.

1       Sec. 2. EFFECTIVE DATE

2       This act shall take effect on July 1, 2023.