

VETOES

Article 38A - Fires and Investigations

12A.

(a) (1) Each sleeping area within all occupancies classified residential, as defined in the National Fire Protection Association Life Safety Code~~}, 1981~~ 1988 Edition, ~~AND AS ADOPTED BY THE STATE FIRE PREVENTION COMMISSION FOR INCLUSION IN THE STATE FIRE PREVENTION CODE,~~ shall be provided with a minimum of one approved smoke detector sensing visible or invisible particles of combustion installed in a manner and location approved by the Fire Prevention Commission. When activated, the detector shall provide an alarm suitable to warn the occupants.

(2) (i) Dwelling units within existing hotels and multifamily buildings that were exempt from the provisions of this section because there were 10 units or more constructed before 1975 which conformed with the exiting requirements of the Life Safety Code must have smoke detectors installed by January 1, 1984.

(ii) In all multifamily buildings and hotels constructed prior to 1975 with 4 through 9 units, smoke detectors shall be installed by January 1, 1983.

(3) (i) The landlord shall be responsible for installation, and, upon written notification by certified mail by the tenant or upon notification in person by the tenant, the repair or replacement of the detector.

(ii) If the tenant personally notifies the landlord of a mechanical failure, the landlord shall provide a written receipt acknowledging the notification.

(iii) A tenant may not remove or render a smoke detector inoperative.

(iv) Except for hotels or motels, a landlord may require a refundable deposit for a smoke detector not to exceed the value of the smoke detector.

(v) Where an occupancy is occupied by a person who is deaf or hearing impaired, a smoke detector, upon the written request of the person to the landlord, shall be provided which, when activated, shall provide a signal that is approved by a nationally recognized testing laboratory for electrical appliances and is sufficient to warn the deaf or hearing impaired individual.

(4) (i) All hotels and motels, regardless of the number of units, shall have available at least one smoke detector for the deaf or hearing impaired for each 50 units or less. The proprietor may require a refundable deposit for a portable smoke detector not to exceed the value of the smoke detector.

(ii) The proprietor of the hotel or motel shall post in a conspicuous place at the registration desk or counter a permanent sign stating the availability of smoke detectors for the hearing impaired.

(b) An occupant of a one, two or three family residential dwelling constructed prior to July 1, 1975 shall by July 1, 1982:

(1) Equip each occupant's living unit with a minimum of one approved