

214-23 Fire Prevention

c-1. Fire escapes serving residential occupancies where the escape serves no more than 2 dwelling units per floor and these units are located no higher than the 3rd floor of the building.

c-2. Fire escapes in commercial buildings where the escape serves as exiting for floors up to and including the 2nd floor but no higher.

3. REVIEW OF CRITICAL EXAMINATION REPORT. a. Disallowance and Refusal. If upon inspection the department finds any fire escape is defective or unsafe for any reason whatsoever, the commissioner shall have the following power and authority to:

a-1. Disallow any fire escape critical examination report, submitted within 120 days prior to the date of the inspection by the department, showing the structural condition of the fire escape and its supports to be in good repair and safe condition.

a-2. Refuse to accept any future fire escape critical examination report relating to any other fire escape submitted by the same registered architect or registered structural engineer.

b. Appeal. Any person having a fire escape critical examination report disallowed or refused by the commissioner may appeal the decision to the standards and appeals commission.

214-23. Battery-Operated Smoke Alarms. **1. TYPE.** Every battery-operated smoke alarm shall be powered by 10-year or more non-removable batteries. Compliance with this requirement shall be met when replacing an existing battery-operated unit according to the manufacturer's recommended replacement date or by October 1, 2017, whichever is sooner.

2. SILENCING SWITCH. Any smoke alarm located within 20 feet of the primary cooking appliance within the unit shall have a silencing switch.

3. TESTING. Every battery-operated smoke alarm shall be tested by the owner not less than once every calendar year. The owner shall provide a copy of test results to the commissioner or the commissioner's designee upon request. Test results shall include the date on which testing was performed and the name, telephone number and property relationship of the person who performed the test. Testing shall be performed in accordance with the manufacturer's specifications for testing.

214-25. Smoking Regulations. **1. WHOLESALE AND RETAIL ESTABLISHMENTS.** It shall be the duty of the person in charge (operator, licensee, owner or manager) of such establishment to post

or affix and maintain approved signs bearing the words "NO SMOKING" at every entrance door and in prominent locations throughout the building, and such person shall be held responsible for enforcement of the regulations of s. 310 of the Int. Fire Code.

2. ELEVATORS. No person may light a match or any other flame-producing device or smoke or carry a lighted cigar, cigarette or pipe into any passenger elevator, or any elevator used as a passenger freight elevator. The person in charge of the structure containing the elevator shall post or affix and maintain approved signs bearing the words "NO SMOKING" in or at the entrance to the elevator, and such person shall be held responsible for enforcement of this subsection.

214-27. Smoke Detectors and Smoke Alarms for Residential Dwellings Built Prior to January 1, 1983.

1. DEFINITION. In this section, "residential building" means any one-family dwelling or 2-family dwelling, or any public building which is used for sleeping or lodging purposes and includes any apartment house, rooming house, hotel, children's home, community-based residential facility or dormitory but does not include a hospital or nursing home.

2. NUMBER AND LOCATION. Every dwelling unit in a residential building constructed prior to January 1, 1983 shall be provided with approved listed and labeled smoke detectors or alarms sensing visible or invisible particles of combustion, installed in a manner and location consistent with their listing. A minimum of one smoke detector or alarm shall be installed in the basement and on each floor level except in an unfinished attic or storage area, and not in a kitchen. For floor levels containing a sleeping area, the required detector or alarm shall be installed within 6 feet of the sleeping area. If a floor level contains 2 or more separate sleeping areas, each sleeping area shall be provided with a smoke detector or alarm. Every residential building other than a one- or 2-family dwelling shall have a functional smoke detector or alarm at the head of every stairway on each floor level in the building.

3. TYPE. Smoke detectors and alarms required under this section shall be single station devices, either battery operated as provided in s. 214-23, plug-in or directed wired A/C units unless otherwise required by the code.