

County:
City: of Wellsville
Town:
Village:
Local Law No. 4 of the year 19 85

A local law requiring the installation and maintenance of smoke detectors in all dwelling units in the Village of Wellsville (Insert title)

Be It enacted by the Board of Trustees of the (Name of Legislative Body)

County:
City: of Wellsville, New York as follows:
Town:
Village:

SECTION I. GENERAL PROVISIONS:

A. DECLARATION OF INTENT:

The Board of Trustees hereby finds and declares that smoke detectors, when properly installed and maintained, save lives and minimize property loss in case of fire. In consideration of the foregoing and in accordance with the said Board's obligation to enact local laws to protect the health, safety and welfare of the inhabitants of the Village of Wellsville, this local law is enacted.

B. RESPONSIBILITIES:

It shall be the responsibility of every owner of an occupied dwelling unit in the Village of Wellsville to comply with the requirements of this local law with respect to the installation of smoke detectors. It shall be the responsibility of every owner of an occupied dwelling unit in the said Village to assure that any smoke detector required by this local law is maintained in accordance with its provisions. The Village of Wellsville shall not be liable for any damages incurred as a result of non-compliance with the terms of this local law.

C. GENERAL REQUIREMENTS FOR SMOKE DETECTORS:

Every smoke detector required to be installed and maintained by this local law must be capable of detecting visible or invisible particles of combustion and providing a suitable audible alarm thereof. Every detector required to be installed and maintained by this local law must be installed and located so as to avoid dead air space, be reasonably free from false alarms, and provide visible indication that the alarm is energized.

SECTION II. SMOKE DETECTORS IN EXISTING ONE AND TWO-FAMILY DWELLINGS:

A. On or before January 1, 1986, nineteen hundred eighty-six (1986), smoke detectors of a type approved by the Underwriters' Laboratory shall be installed in every dwelling unit in existing one and two-family dwellings in conformance with the provisions of this section. At least one (1) smoke detector

shall be installed to protect each sleeping area and must have an alarm which is clearly audible in adjoining sleeping spaces with the intervening doors closed. Said smoke detector may be wired directly to the power supply or operated by a self-monitored battery or connected to a plug-in outlet. However, in no event may any smoke detector required by this section be controlled by any switch other than the main power supply, and any plug-in outlet must be fitted with a plug restrainer device.

B. On or before January 1, 1986, nineteen hundred eighty-six (1986), at least one (1) smoke detector shall be installed at the head of each stairway leading to an occupied area in such a manner as to assure that rising smoke is not obstructed in reaching the detector and that the detector intercepts rising smoke before it reaches the sleeping area. Said smoke detector may be wired directly to the power supply or operated by a self-monitored battery or connected to a plug-in outlet. However, in no event may any smoke detector required by this section be controlled by any switch other than the main power supply, and any plug-in outlet must be fitted with a plug restrainer device.

C. The owner of every existing one and two-family dwelling in the Village of Wellsville shall be responsible for the installation of the required smoke detectors. Said smoke detectors shall at all times be maintained in proper working condition.

SECTION III. SMOKE DETECTORS IN NEW ONE AND TWO-FAMILY DWELLINGS:

A. In all one and two-family dwellings hereafter constructed in the Village of Wellsville, smoke detectors of a type approved by the Underwriters' Laboratory shall be installed in every dwelling unit in conformance with the provisions of this section. At least one (1) smoke detector shall be installed to protect each sleeping area and must have an alarm which is clearly audible in adjoining sleeping spaces with the intervening doors closed. Said smoke detector may be wired directly to the power supply or operated by a self-monitored battery or connected to a plug-in outlet. However, in no event may any smoke detector required by this section be controlled by any switch other than the main power supply, and any plug-in outlet must be fitted with a plug restrainer device.

B. At least one (1) smoke detector shall be installed at the head of each stairway leading to an occupied area in such a manner as to assure that rising smoke is not obstructed in reaching the detector and that the detector intercepts rising smoke before it reaches the sleeping area. Said smoke detector may be wired directly to the power supply or operated by a self-monitored battery or connected to a plug-in outlet. However, in no event may any smoke detector required by this section be controlled by any switch other than the main power supply, and any plug-in outlet must be fitted with a plug restrainer device.

C. The builder or owner of any new one and two-family dwelling in the Village of Wellsville shall be responsible for the installation of the required smoke detectors prior to the occupation of the building.

SECTION IV. SMOKE DETECTORS IN EXISTING MULTIPLE DWELLINGS:

A. On or before January 1, 1986, nineteen hundred and eighty-six (1986), at least one (1) smoke detector of a type approved by the Underwriters' Laboratory shall be installed in every dwelling unit in existing multiple dwellings. Said smoke detector may be wired directly to the power supply or operated by a self-monitored battery or connected to a plug-in outlet. However, in no event may any smoke detector required by this section be controlled by any switch other than the main power supply, and any plug-in outlet must be fitted with a plug restrainer device. At least one (1) smoke detector shall be installed to protect each sleeping area and must have an alarm which is clearly audible in adjoining sleeping spaces with intervening doors closed.

B. On or before January 1, 1986, nineteen hundred and eighty-six (1986), a smoke detector system approved by the Underwriters' Laboratory shall be installed in all common halls and stairways in every existing multiple dwelling. Such system shall be connected to an alarm which is clearly audible throughout the building.

C. The owner of every multiple dwelling in the Village of Wellsville shall be responsible for the installation of the required smoke detectors and smoke

detector alarm system. Said smoke detectors and alarm system shall at all times be maintained in proper working condition.

SECTION V. SMOKE DETECTORS IN NEW MULTIPLE DWELLINGS:

A. In all multiple dwellings hereafter constructed in the Village of Wellsville at least one (1) smoke detector of a type approved by the Underwriters' Laboratory shall be installed in every dwelling unit. Such smoke detector shall be directly connected to the lighting circuit of the dwelling unit with no intervening wall switch. Cord-connected installations shall not be permitted. At least one (1) smoke detector shall be installed to protect each sleeping area and must have an alarm which is clearly audible in adjoining sleeping spaces with intervening doors closed.

B. In all multiple dwellings hereafter constructed in the Village of Wellsville, a smoke detector system approved by the Underwriters' Laboratory shall be installed in all common halls and stairways. Such system shall be connected to an alarm which is clearly audible throughout the building.

C. The builder or owner of any new multiple dwelling in the Village of Wellsville shall be responsible for the installation of the required smoke detectors and smoke detector alarm system prior to the occupation of the building. Every smoke detector and smoke detector alarm system required by this section shall be maintained in proper working condition at all times.

SECTION VI. SEVERABILITY:

If any clause, sentence, paragraph, or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder of this Local Law.

SECTION VII. PENALTIES:

Any person who shall be in violation of any provision of this Local Law, shall, upon conviction, be subject to a fine not to exceed the sum of Seven Hundred Fifty and No/100 Dollars (\$750.00) or to imprisonment in the County Jail for a period not to exceed fifteen (15) days, or to both such fine and imprisonment. The continuation of a violation of this Local Law shall constitute a separate and distinct offense for each seventy-two (72) hour period that the violation is continued.

SECTION VIII. EFFECTIVE DATE:

This Local Law shall be effective on and after January 1, 1986,
(1986)