

§ 134-6. Smoke detectors.

[Added 4-5-1993 by Ord. No. 42]

A.

Definition. "Smoke detector" means any device which, when activated by the presence of smoke, provides an audible alarm suitable to warn the occupants within the individual dwelling unit in which it is attached, which device must be continuously powered from the building electrical system where it is located and must be permanently wired to the building's electrical system, and a secondary power source provided by standby batteries.

B.

Smoke detectors required. The owner of any residential rental dwelling unit, including, but not limited to, apartment buildings and multifamily residences (having three or more living units), shall install or cause to be installed, and cause to be in operating order, not less than one smoke detector upon or near the ceiling in areas within or giving access to all bedrooms of said residential rental dwelling unit. The intent of this section is to include in the definition of "residential rental dwelling unit" all buildings or structures (having three or more units) that are rented out or leased out by an owner to a tenant or tenants for occupancy.

C.

Multi-apartment buildings. In multi-apartment buildings more than three stories in height, smoke detectors shall also be installed in each corridor and hallway on each floor.

D.

Penalties. Whoever violates this section is guilty of a civil infraction and shall be subject to a forfeiture of not more than \$100 for each violation. The court may waive any penalty or cost against any violator upon satisfactory proof that the violation was corrected within 10 days of the issuance of a complaint. Any person who fails to maintain, disconnects, or causes any smoke detector installed in accordance with this section to be inoperable shall be guilty of a civil infraction and shall be subject to forfeiture of not more than \$100 for each violation.

E.

Liability. Nothing in this section gives rise to an action against an owner required to comply with Subsection B above if the owner has conducted an inspection of the required smoke detectors immediately after installation and has reinspected the smoke detectors prior to occupancy by each new tenant, unless the owner has been given at least 24 hours' actual notice of a defect or failure of the smoke detector to operate properly and has failed to take action to correct the defect or failure.

F.

Effective date. The provisions of this section shall not take effect until September 1, 1994, for all structures with 12 or more units; and March 1, 1995, for all structures with more than two units but fewer than 12 units.