

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

FIRST REGULAR SESSION-2007

Legislative Document

No. 1326

H.P. 934

House of Representatives, March 12, 2007

**An Act To Increase Civil Penalties for Violations of Fire Code Laws
Applicable to Fire Escape Installment and Maintenance**

Submitted by the Department of Public Safety pursuant to Joint Rule 204.
Reference to the Committee on Criminal Justice and Public Safety suggested and ordered
printed.

Millicent M. MacFarland
MILLICENT M. MacFARLAND
Clerk

Presented by Representative HASKELL of Portland.
Cosponsored by Senator STRIMLING of Cumberland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 25 MRSA §2453**, as amended by PL 2001, c. 31, §1, is repealed and the
3 following enacted in its place:

4 **§2453. Fire escapes; appeals**

5 **1. Certain buildings; more than one way of egress.** Each story above the first
6 story of a building used as a schoolhouse, orphan asylum, hospital for the mentally ill,
7 reformatory, opera house, hall for public assemblies, hotel or tenement house occupied by
8 more than 2 families or store in which more than 10 persons are employed above the first
9 story must be provided with more than one way of egress, by stairways on the inside or
10 fire escapes on the outside of such a building. The stairways and fire escapes must be
11 constructed, in a number or of a size and in a location so as to give reasonably safe,
12 adequate and convenient means of exit, in view of the number of persons who may need
13 to use the stairway or fire escape, must at all times be kept free from obstruction and must
14 be accessible from each room in each story above the first story.

15 **2. Apartment building; single exit permitted with sprinkler system.** Any
16 apartment building of 3 stories or less in its entirety is permitted to have a single exit
17 under the condition that the building is protected throughout by an approved automatic
18 sprinkler system and meets the requirements of the applicable chapter of the National Fire
19 Protection Association Life Safety Code 101 and every sleeping room has a second
20 means of escape.

21 **3. Commissioner approval of fire escape or alarm system.** An individual,
22 partnership or corporation may not offer for sale in this State any type of fire escape
23 device or fire alarm system without first securing approval of the Commissioner of Public
24 Safety.

25 **4. Order of the commissioner.** A person or corporation aggrieved by an order of
26 the Commissioner of Public Safety issued under this section may appeal to the Superior
27 Court by filing within 30 days from the effective date of the order a complaint. The court
28 shall fix a time and place of hearing and cause notice of the time and place to be given to
29 the commissioner. After the hearing, the court may affirm or reverse in full or in part an
30 order of the commissioner, and the decision of the court is final. If the commissioner, in
31 the interest of public safety and because the commissioner determines there is immediate
32 danger, forbids the use of a building for any public purpose until satisfactory compliance
33 with the commissioner's order, the order becomes effective immediately and the filing of
34 the complaint may not operate as a stay.

35 **5. Violation.** A violation of this section by a person, firm or organization is a civil
36 violation punishable by a fine of not more than \$500.

SUMMARY

1

2 This bill provides that a person, firm or organization that violates the law pertaining
3 to the installment and maintenance of fire escapes commits a civil violation for which a
4 fine of not more than \$500 may be assessed.