

MAINE STATE LEGISLATURE

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SEVENTY-EIGHTH LEGISLATURE

SENATE

NO. 3

In Senate, Jan. 11, 1917.

On motion by Mr. Ricker of Hancock, taken from table and referred to Committee on Labor and ordered printed. Sent down for concurrence.

W. E. LAWRY, Secretary.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND SEVENTEEN

AN ACT for the safeguarding of employes in factories, mills
and workshops against danger from fire.

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

Section 1. Every factory, workshop, mill or place where
2 the manufacture of goods of any kind is carried on shall
3 hereafter, under the supervision and direction of the com-
4 missioner of labor, be provided with ample and proper means
5 and ways of egress or escape in emergency arising from
6 fire or otherwise, sufficient for the use of all persons therein,
7 and as well, shall be protected as far as practicable against
8 the origin and spread of fire.

Sect. 2. The commissioner of labor as state factory inspector shall have power to order in all such buildings the construction of additional inside stairways and outside fire escapes of such construction and location as he may deem proper, and the alteration and repair of existing stairways and fire escapes; of doors and windows for egress, and their method of opening; that suitable numbers of extinguishers be kept and maintained; that hose be kept on each floor attached to a suitable water supply and capable of reaching any part of said floor; that egresses shall at all times be unobstructed by anything whatever, whether stationary or movable; that outside or inside doors shall not be locked or fastened during hours of labor so as to prevent free egress; and any other construction, alteration, equipment, or requirement which in his judgment is necessary to furnish proper and adequate protection to the inmates of such buildings.

Sect. 3. If the commissioner of labor as state factory inspector, or any authorized agent of the department of labor, shall find upon inspection that in his opinion such buildings are not provided with ample and proper means and ways of egress or escape in emergency arising from fire or otherwise, he shall notify in writing the owner, proprietor, or agent of such workshops or factories to make, within thirty days, the alterations, or additions, or obtain equipment, or do anything by him deemed necessary for the safety and protection of the employes; and if such alterations or addi-

11 tions are not made, equipment obtained, or other require-
12 ments complied with, within thirty days from the date of
13 such written notice, or within such time as said alterations
14 or additions can be made, equipment obtained, or other re-
15 quirements complied with, with proper diligence upon the
16 part of such proprietors, owners or agents, said proprietors,
17 owners or agents so notified shall be deemed guilty of a
18 misdemeanor, and upon complaint of the commissioner of
19 labor as state factory inspector, or any authorized agent of
20 the department of labor before a court of competent juris-
21 diction, and upon conviction thereof, shall be fined in a sum
22 not less than twenty-five dollars, nor more than two hundred
23 dollars, or by imprisonment not more than thirty days, or
24 by both such fine and imprisonment.

Sect. 4. Nothing in this act shall be held to abrogate the
2 duty of municipal officers or board of fire engineers to make
3 inspection of such buildings as provided in chapter twenty-
4 eight of the Revised Statutes, sections thirty-seven to forty-
5 five inclusive, and acts amendatory thereof; but after in-
6 spection of such buildings as designated in section one of
7 this act, before issuing their certificate, if they find proper
8 safeguards and precautions for escape from fire, or before
9 issuing written notice to the occupant or owner of altera-
10 tion, additions or repairs which they will require, if they
11 find them improper,—shall first submit to the commissioner
12 of labor a description of the building inspected, stating size,
13 and material of which constructed; average number of em-

14 ployes on each floor; and existing methods of escape from
15 fire which they deem adequate, in the one instance, and a
16 similar description of building, persons employed, existing
17 methods of escape from fire, and their recommendations as
18 to alterations, additions, or repairs, in the other; and obtain
19 his approval of same in writing before issuing said certifi-
20 cate or notice. Such certificate or notice issued without such
21 approval is invalid, and municipal officers or boards of fire
22 engineers issuing such certificate or notice without such ap-
23 proval shall each be fined the sum of ten dollars, upon com-
24 plaint by the commissioner of labor as state factory in-
25 spector, or any authorized agent of the department of labor,
26 before a court of competent jurisdiction.

Sect. 5. No building two stories or more in height which
2 is designed to be used in whole or in part as a factory, work-
3 shop, mill or place where the manufacture of goods of any
4 kind is carried on, erected after the first day of August,
5 1915; nor any such building not then in present use for such
6 purposes be adopted for such purposes; nor any additions
7 be constructed two stories or more in height after said date,
8 —until the plans and specifications as to stairways, elevators,
9 shafts, fire escapes, doors and windows, and other provisions
10 for the protection of employes from fire be first submitted
11 by the person causing its erection or adoption, or by the
12 architect thereof, to the commissioner of labor, and approved
13 in writing by him. With such plans and specifications shall
14 be submitted an estimated number of employes to be en-

15 gaged on each story or floor of the proposed building, its
16 size, number of stories, and material of which constructed.

Sect. 6. All such buildings as designated in section five
2 shall be equipped with two or more inside stairways placed
3 as far as possible at opposite ends of the building, and one
4 or more outside fire escapes, if in the opinion of the com-
5 missioner necessary; the number, location and construction
5 of additional stairways and fire escapes to be determined
7 and approved by the commissioner of labor.

All stairways and elevator shafts in such buildings shall
9 be enclosed in walls of fireproof or fire resisting materials
10 which shall run from the basement floor to and through the
11 roof. The stairways shall be constructed as nearly as pos-
12 sible of fireproof or fire resisting materials, and all entrances
13 thereto shall be protected by doors of fireproof or fire resist-
14 ing materials, except where such opening is in the exterior
15 wall of the building.

Sect. 7. All fire escapes on such buildings as are desig-
2 nated in section five shall be constructed according to plans
3 and specifications approved by the commissioner of labor and
4 shall consist of outside iron balconies and stairways at each
5 floor above the first, connecting said balconies to the ground
6 except where fire escape is over a highway or private drive-
7 way, when a balanced stairway shall connect the lowest bal-
8 cony to the ground. The balcony on the top floor shall be
9 provided with a gooseneck ladder from said balcony to and
10 above the roof when ordered by the commissioner of labor.

11 The balconies shall be not less than fifty-two inches wide in
12 the clear, when one balcony is placed directly above the
13 other, and three feet when the fire escape is constructed on
14 the straight run plan, taking in at each story above the
15 ground floor at least one door of each part of the building
16 separated by inside walls. They shall not be more than one
17 foot below door sills. There shall be a landing not less
18 than twenty-six inches square at the head and foot of each
19 stairway; the stairway well hole on each platform shall be
20 of a size sufficient to provide a clear headway, and shall be
21 protected by a railing similar to that provided for balance
22 of platform. All entrances to fire escape platforms shall
23 be made by means of doors which must be cut down to the
24 level of the floors, except when some other construction is
25 recommended by the commissioner of labor. The doors
26 shall open in a manner designated by said commissioner.
27 All doors or windows opening on to a fire escape or directly
28 under a fire escape shall be metal covered and all glass used
29 therein shall be wire glass.

All balcony rails shall in no case be less than three feet
31 above the floor of the balcony and shall extend around the
32 entire platform and shall in all cases go through the wall of
33 the building at each end and be properly secured by nuts
34 with washers at least four inches square and three-eighths
35 of an inch thick. The bottom rail shall in no case be more
36 than eight inches from or above the balcony floor. Balcony
37 floors shall be wrought iron slats not less than two inches

38 by three-eighths of an inch placed on edge not more than
39 one inch apart. The platform of balconies shall be con-
40 structed to safely sustain a load of not less than eighty
41 pounds per square foot. The stairways shall be constructed
42 and erected to sustain all parts and carry a safe load of not
43 less than one hundred pounds per square foot. Brackets
44 shall be placed not more than four feet apart and shall ex-
45 tend across full width of balcony, and on new buildings
46 shall be set as walls are being built.

Sect. 8. All buildings as designated in section five, after
2 their completion in accordance with said plans and specifi-
3 cations of construction as approved by the commissioner,
4 shall from time to time be inspected, and shall at all times
5 be subject to all sections of this act applicable to existing
6 factories, workshops and mills.

Sect. 9. Whoever erects or constructs a building as desig-
2 nated in section five, or an architect or other person who
3 draws plans or specifications, or superintends the erection
4 or construction of such a building, or whoever adopts a
5 present building for manufacturing purposes, in violation
6 of the provisions of section five to section eight of this act
7 inclusive, shall be punished by a fine of not less than fifty
8 nor more than four hundred dollars.

Sect. 10. All fines or penalties provided for by the terms
2 of this act may be recovered or enforced by complaint or
3 indictment, and in all prosecutions under this act and amend-
4 ments and additions thereto, trial justices and judges of the

5 municipal and police courts within their counties shall have
6 by complaint original and concurrent jurisdiction with the
7 supreme judicial and superior courts.

STATE OF MAINE.

Committee on Labor reports that this bill contains much merit and that in their opinion there is a general need of improvement in fire protection and law enforcement throughout the State, but because of lack of sufficient time and means of securing accurate information on the matter, recommends that same be referred to the next legislature.

Per Order.

DESCOTEAUX, *for the Committee.*

In House of Representatives, March 23, 1915.

Read and accepted.

Sent up for concurrence.

C. C. HARVEY, *Clerk.*

In Senate, March 24, 1915.

Read and concurred.

W. E. LAWRY, *Secretary.*