

MAINE STATE LEGISLATURE

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N I N E T Y - S I X T H L E G I S L A T U R E

Legislative Document

No. 681

S. P. 256

In Senate, February 12, 1953.

Referred to Committee on Legal Affairs. Sent down for concurrence and ordered printed.

CHESTER T. WINSLOW, Secretary.

Presented by Senator Weeks of Cumberland.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FIFTY-THREE

AN ACT Relating to Fire Escapes.

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

R. S., c. 85, § 46, repealed and replaced. Section 46 of chapter 85 of the revised statutes, as amended, is hereby repealed and the following enacted in place thereof :

‘Sec. 46. Fire escapes for certain buildings; appeal. Each story above the first story of a building used as a schoolhouse, hospital, orphan asylum, insane asylum, reformatory, opera house, hall for public assemblies, factory, hotel, office buildings, boarding or lodging house, accommodating more than 6 persons, or tenement house occupied by more than 2 families or store in which more than 10 persons are employed above the first story, shall be provided with more than one way of egress, by stairways on the inside or fire escapes on the outside of such building. Such stairways and fire escapes shall be so constructed, in such a number, or such size and in such location as to give reasonably safe, adequate and convenient means of exit, in view of the number of persons who may need to use such stairways or fire escapes, shall, at all times, be kept free from obstruction and shall be accessible from each room in each story above the first story. If the construction or use of the building is such that prudence would require the installation of a fire alarm system, such system shall be installed.

Fire escape devices and fire alarm systems shall be structurally sound and capable of doing the work for which they were designed. No individual, partnership or corporation shall offer for sale in this state, any type of fire escape device or fire alarm system unless first securing approval of the insurance commissioner or fire inspector. If such device or system is of such nature that examination and testing requires the services of a skilled technician, the cost of such examination and testing shall be paid by the person offering the same for sale.

The insurance commissioner and the fire inspector are directed to enforce the provisions of this section, and may order such changes and installations as the circumstances warrant, specify the time within which such changes and alterations shall be undertaken and completed and may close the building pending such changes and installations.

Any person or corporation aggrieved by any finding or order of the commissioner may ask for and shall receive a full hearing before the commissioner, who shall make formal finding of facts and rulings. Findings of fact by the commissioner shall be final if supported by credible evidence. Any person aggrieved by the commissioner's rulings in matters of law may within 10 days appeal to a justice of the superior court in term time or vacation, by petition setting forth the grounds for appeal; and said justice shall order notice thereon as in equity, and after a hearing may affirm, modify or reverse the decision of the commissioner, and shall remand the case to the commissioner for action in accordance with the court decree. Provided, however, if the commissioner, in the interest of public safety, because he deems there is immediate danger, forbids the use of such buildings for any public purpose until satisfactory compliance with his order, such order shall become immediately effective, and the filing of an appeal to the superior court shall not operate as a stay thereof.'