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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO HEALTH AND SAFETY - PLACES OF ASSEMBLY

Introduced By: Representatives Trillo, Williams, Brien, Ferri, and Malik

Date Introduced: February 15, 2012

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 23-28.6-5 of the General Laws in Chapter 23-28.6 entitled "Places  
2 of Assembly" is hereby amended to read as follows:

3           **23-28.6-5. Admissions restricted and supervised.** -- (a) Admissions to all places of  
4 assembly shall be supervised by the responsible management or by the person or persons  
5 delegated with the responsibility by the management, and the responsible person shall not allow  
6 admissions in excess of the maximum occupancy as provided in section 23-28.6-3, provided,  
7 subsections (c), (d), and (e) below do not apply to churches and places of worship, wherein  
8 patrons retain their outer clothing for immediate exit, and where they are confined for a period  
9 not exceeding two (2) hours duration. Only those portions of a building used exclusively for  
10 religious worship are included in this exception.

11           (b) The maximum occupancy of all areas shall be conspicuously posted by means of a  
12 sign furnished by the state fire marshal's office.

13           (c) All places of assembly with an occupancy load of greater than one thousand (1,000)  
14 people shall have one uniformed fire fighter, and any additional uniformed fire fighters on duty  
15 when deemed necessary by the chief of the local fire department or the designee of the state fire  
16 marshal in the local fire department except as provided under subsection (f) of this section;  
17 provided, that the provisions of this subsection shall not apply to places of assembly which meet  
18 or exceed current fire codes.

19           (d) All places of assembly, with an occupancy load of greater than three hundred (300) up

1 to one thousand (1,000) people, of less concentrated use shall have a uniformed fire fighter and  
2 any additional uniformed fire fighters on duty when deemed necessary by the chief of the local  
3 fire department or the designee of the state fire marshal in the local fire department-; provided,  
4 that the provisions of this subsection shall not apply to places of assembly which meet or exceed  
5 current fire codes.

6 (e) All places of assembly with occupancy loads of fifty (50) up to one thousand (1,000)  
7 people of concentrated use shall have one uniformed fire fighter on duty when deemed necessary  
8 by the chief of the local fire department or the designee of the state fire marshal in the local fire  
9 department-; provided, that the provisions of this subsection shall not apply to places of assembly  
10 which meet or exceed current fire codes.

11 (f) On an event-by-event basis, in the absence of an unusual hazard, the chief of the local  
12 fire department or the designee of the state fire marshal in the local fire department may waive, in  
13 writing, the fire fighter on duty requirement of subsections (c) and (e) when the actual occupancy  
14 of a building for a specific event is substantially lower than the calculated occupancy of the  
15 building.

16 (g) All places of assembly with occupancy loads of fifty (50) up to one thousand (1,000)  
17 people of concentrated or less concentrated use being utilized for activities of unusual hazard  
18 shall have one uniformed fire fighter on duty during such activity, and any additional uniformed  
19 fire fighters on duty when deemed necessary by the chief of the local fire department or the  
20 designee of the state fire marshal in the local fire department unless this requirement is  
21 specifically waived in writing for each such event.

22 (h) The cost of all fire fighters on duty under subsections (c) through (f) of this section  
23 shall be borne by the management of the facility.

24 (i) The above assigned fire fighter(s) shall be equipped with portable communication  
25 devices which shall be provided for by the local fire department to allow direct communication to  
26 the dispatcher of the local fire department.

27 (j) Any person violating the provisions of this section shall be fined not exceeding five  
28 thousand dollars (\$5,000) for each offense.

29 (k) The provisions of section 23-28.2-17 shall apply to any fire fighter assigned to a  
30 place of assembly pursuant to this section.

31 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO HEALTH AND SAFETY - PLACES OF ASSEMBLY

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- 1 This act would exempt places of assembly meeting or exceeding current fire codes from
- 2 the requirement of having a firefighter present.
- 3 This act would take effect upon passage.

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