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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO HEALTH AND SAFETY -- COMPREHENSIVE FIRE SAFETY ACT

Introduced By: Representatives Morin, Casey, Guthrie, Jacquard, and Mattiello

Date Introduced: March 04, 2014

Referred To: House Municipal Government

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 23-28.01-5 of the General Laws in Chapter 23-28.01 entitled  
2 "Comprehensive Fire Safety Act" is hereby amended to read as follows:

3           **23-28.01-5. Planning and reporting.** -- (a) The system of fire safety codes, compliance,  
4 enforcement, and education, shall be regularly reviewed in order to maintain the use of best  
5 practices throughout Rhode Island and to plan for and implement professional, comprehensive,  
6 efficient and effective fire safety measures in the state.

7           (b) The fire marshal shall, in conjunction with the fire safety code board of appeal and  
8 review, the building code commission, the department of health, the economic development  
9 corporation, the department of elementary and secondary education, and representatives of local  
10 fire departments, prepare and approve by February 20, 2004, a comprehensive plan setting forth  
11 goals and implementation measures for improving fire safety in Rhode Island, which plan shall  
12 include recommendations regarding public, fire safety education. The plan may be periodically  
13 reviewed and amended and shall be updated at least once every five (5) years. The plan, and any  
14 amendments and updates, shall be submitted to the governor, the speaker of the house and the  
15 president of the senate. A copy of the plan shall be provided to the secretary of state, and the  
16 report shall be posted on the website of the fire marshal.

17           (c) The fire marshal shall submit a report ~~on or before February 1, 2005, and~~ annually  
18 not later than February 1 in each year ~~thereafter,~~ to the governor, the speaker of the house and the  
19 president of the senate on fire safety in Rhode Island, summarizing the incidence of fires in

1 Rhode Island, describing the status of fire safety efforts in Rhode Island and progress toward  
2 meeting goals set forth in the five (5) year plan, and recommending actions for improving fire  
3 safety. A copy of the report shall be provided to the secretary of state, and the report shall be  
4 posted on the website of the fire marshal.

5 (d) In order to increase public information about fire risks in places of assembly, the fire  
6 marshal shall make public the repeat and/or uncorrected fire safety code violations of all places of  
7 assembly that are classified as nightclubs and provide this information on a website, effective  
8 February 20, 2004.

9 SECTION 2. Section 23-28.1-5 of the General Laws in Chapter 23-28.1 entitled "Fire  
10 Safety Code – General Provisions" is hereby amended to read as follows:

11 **23-28.1-5. Definitions.** -- The terms used in NFPA 1 (Uniform Fire Code), in NFPA 101  
12 (Life Safety Code) and in such other national codes as are authorized for adoption by the Fire  
13 Safety Code Board of Appeal and Review shall be given the definitions established in those codes  
14 unless another meaning is provided for in this title and is essential to implementing the purposes  
15 of this title, and the Fire Safety Code Board of Appeal and Review shall have authority to resolve  
16 any conflicts among definitions in order to achieve the purposes of this title and/or provide for the  
17 efficient administration of codes:

18 (1) Abatement or to abate a condition. - Abatement, or to abate a condition, is the  
19 reduction, decrease, or diminution of a hazardous condition that presents immediate danger to  
20 life. The term "immediate" denotes that action is or must be taken either instantly or without any  
21 considerable loss of time. The condition may be singular or may be a set of conditions that in  
22 combination present an immediate danger to life. Such conditions shall include improper  
23 management or use of flammable and combustible materials, liquids and gasses, pyrotechnics,  
24 fireworks or explosives, malfunctioning automatic sprinklers, fire alarms and emergency lighting,  
25 malfunctioning heating and electrical systems, blocked or inadequate exits or means of egress,  
26 and such other conditions as may be established by the Fire Safety Code Board of Appeal and  
27 Review.

28 (2) Authority having jurisdiction. - Unless specifically defined to the contrary in this  
29 code, the authority having jurisdiction for the enforcement of this code shall be the state fire  
30 marshal, the deputy fire marshals, and assistant deputies.

31 (3) Adult Day-Care. - A building or portion thereof used for less than twenty-four (24)  
32 hours per day to house more than three (3) adults requiring supportive care, maintenance, and  
33 supervision by persons other than their relatives.

34 (4) Authority Having Jurisdiction (Enforcement). - Unless specifically defined to the

1 contrary in this code, the authority having jurisdiction for the enforcement of this code shall be  
2 the state fire marshal. The state fire marshal may delegate this enforcement authority to any  
3 deputy state fire marshal or assistant deputy state fire marshal that he or she certifies and appoints  
4 pursuant to § 23-28.2-1 et seq. However, as a condition of their continued certification, all such  
5 appointed deputy state fire marshals and assistant deputy state fire marshals shall apply the code,  
6 consistently and uniformly across the state, under the guidance of the state fire marshal.

7 (5) Bed and Breakfast Home. - An owner and/or innkeeper occupied building that  
8 provides sleeping accommodations for up to sixteen (16) guests. Every "Bed and Breakfast  
9 Home" must further have originated as a private home and must have at least three hundred  
10 square feet (300 sq. ft.) of common space (i.e., dining room, living room, etc.) for guest use, and  
11 must further provide breakfast. Finally, the owner and/or innkeeper must occupy the building  
12 twenty-four (24) hours a day, seven (7) days a week, while guests are utilizing the facility. The  
13 owner and/or innkeeper of the bed and breakfast home shall have a plan of action, approved by  
14 the local official, to assure the safety of the guests in the event the owner or innkeeper is required  
15 to temporarily leave the facility unsupervised for limited periods during the day.

16 (6) Certificate of Occupancy. - After the building official inspects the building or  
17 structure and, after consultation with the Authority Having Jurisdiction (AHJ) enforcing the  
18 provisions of this code, finds no violations of the provisions of this code or other laws that are  
19 enforced by the department of building safety, the building official issues an official document  
20 known as a "certificate of occupancy" that generally contains the following:

21 (i) The building permit number;

22 (ii) The address of the structure;

23 (iii) The name and address of the owner;

24 (iv) A description of that portion of the structure for which the certificate is issued;

25 (v) A statement that the described portion of the structure has been inspected for  
26 compliance with the requirements of this code for the occupancy and division of occupancy, and  
27 the use for which the proposed occupancy is classified;

28 (vi) The name of the building official;

29 (vii) The edition of the code under which the permit was issued;

30 (viii) The use and occupancy, in accordance with the provisions of the state building  
31 code;

32 (ix) The type of construction as defined in the state building code;

33 (x) The design occupant load;

34 (xi) If an automatic sprinkler system is provided, whether the sprinkler system is

1 required:

2 (xii) Any special stipulations and conditions of the building permit; and

3 (xiii) 3.4.6 Citation System. - A system of enforcement outlined in § 23-28.2-14.

4 ~~(3)~~(7) Code. - The term "code" means this Fire Safety Code established under the  
5 provisions of section 23-28.1-1.

6 ~~(4)~~(8) Compliance order. - For the purposes of this Code, a compliance order is defined  
7 as a command or direction authoritatively given to a building owner or occupant to provide  
8 conformance with the Fire Safety Code. A compliance order takes effect when a building owner  
9 or occupant, after proper notice, has exhausted his/her administrative appeals or has failed to avail  
10 himself/herself of appropriate administrative appeals within a reasonable period of time after  
11 receiving proper notice.

12 (9) Emergency Shelter Occupancy. - An occupancy or portion thereof used on a  
13 temporary basis to provide sleeping accommodations for transient or displaced individuals who  
14 have no other shelter arrangements during periods of severe weather or during the aftermath of a  
15 natural or man-made disaster.

16 ~~(5)~~(10) Family day care home. - The term "family day care home" means any home other  
17 than the child's home in which child day care in lieu of parental care and/or supervision is offered  
18 at the same time to at least four (4) but not more than eight (8) children who are not relatives of  
19 the care giver, and which is licensed by the state department of children, youth, and families and  
20 subject to the department's regulations.

21 (11) Funeral Establishment . - An assembly occupancy, as defined by § 5-33.2-1(k) as a  
22 "fixed place, establishment or premises, licensed by the department (of health), devoted to the  
23 activities which are incident, convenient, or related to the care and preparation, arrangement,  
24 financial and otherwise, for the funeral, transportation, burial or other disposition of human  
25 bodies and including, but not limited to, a suitable room with all instruments and supplies used  
26 for the storage and/or preparation of dead human bodies for burial or other disposition."

27 ~~(6)~~(12) Nightclub. - A place of public accommodation, which in general is characterized  
28 by all of the following:

29 (i) Provides entertainment by a live band or recorded music generating above normal  
30 sound levels.

31 (ii) Has as its primary source of revenue, in general, the sale of beverages of any kind for  
32 consumption on the premises and/or cover charges. Food, if served, is considered a secondary  
33 attraction.

34 (iii) Has an occupant load of one hundred fifty (150) in total or in any single area or

1 room of at least 100 patrons.

2 Nothing in this definition shall be construed to include any place of public  
3 accommodation or any event within a place of public accommodation, which is in its nature  
4 distinctly private.

5 (13) Organized Dining Facility. - A place of public accommodation which is  
6 characterized as a facility where private events are held and where the primary source of revenue,  
7 in general, is derived from rental charges for use of the facility and service of food. Such a facility  
8 shall not provide for cover charges or have as a primary attraction any event where entertainment  
9 is provided by a live band or recorded music. Such a facility primarily provides for organized  
10 banquets, private parties, fund raisers, wedding receptions, ceremonial events and the like.

11 ~~(7)~~(14) "Place of worship" means a building or structure, or an area thereof, the  
12 occupancy of which is for the religious rites and services and communal functions of a  
13 congregation, and which shall include sanctuaries, gathering halls, meeting rooms and offices and  
14 related facilities of the congregation, which may be located in the same, in connected, or in  
15 proximate structures.

16 (15) Suspended Ceiling. - A ceiling system of a grid of channels or "T-bars" suspended  
17 from the structure above for readily removable acoustical tiles or lay-in panels.

18 (16) Temporary Certificate of Occupancy. - The building official may issue a temporary  
19 certificate of occupancy before the completion of the entire work covered by the permit, provided  
20 that such portion or portions shall be occupied safely. The building official shall set a time period  
21 during which the temporary certificate of occupancy is valid.

22 (17) Three-Family Apartment Building. - A building or portion thereof containing three  
23 (3) dwelling units with independent cooking and bathroom facilities. This code shall provide  
24 reasonable standards for the installation of smoke and carbon monoxide detectors in three (3)  
25 family apartment buildings.

26 SECTION 3. Sections 23-28.2-21 and 23-28.2-27 of the General Laws in Chapter 23-  
27 28.2 entitled "Division of Fire Safety" are hereby amended to read as follows:

28 **23-28.2-21. National Fire Code. --** Except wherever herein specifically defined or  
29 covered in this code, the provisions of the N.F.P.A. Standards included in the National Fire Code,  
30 ~~2003~~ 2012 edition, shall be used by the authority having jurisdiction as the accepted standard with  
31 regard to fire safety regarding any unforeseen condition.

32 **23-28.2-27. Inspection fees. --** (a) The state fire marshal's office shall assess an  
33 inspection fee of one-hundred dollars (\$100.00) per inspection for any inspection performed by  
34 that office pursuant to chapter 28.1 of Title 23, or any other provisions of the state fire code,

1 including any rule or regulation promulgated by either the fire safety code board of appeal and  
2 review or the state fire marshal. The inspection fee shall be assessed for each required inspection.  
3 Initial inspections and any required subsequent re-inspection shall constitute separate visits for  
4 which separate inspection fees will be payable.

5 (b) In the case of an inspection involving residential use, the fee shall be paid by the  
6 property owner.

7 (c) In the case of any inspection involving any assembly, industrial, mercantile, business  
8 educational, health care, ambulatory health care, day care, residential board and care, storage,  
9 apartment buildings, lodging and rooming, hotels, dormitories, detention and correction or  
10 municipal government use, the fee shall be paid by one of the following parties:

11 (1) The occupant/tenant of the property if the occupant/tenant holds any license issued  
12 by the State of Rhode Island that requires fire code compliance; or

13 (2) The lessee of the property if the lessee is the sole tenant; or

14 (3) If neither (1) nor (2) apply, the owner of the property will be responsible for payment  
15 of the inspection fee.

16 ~~(d) The fee shall be waived for a specific inspection in the event that no violation of any~~  
17 ~~provision of the state fire code including any rule or regulation is found.~~

18 ~~(e)~~(d) No inspection fee shall be assessed against any municipality or municipal agency  
19 or the State of Rhode Island, or any department, board, or commission thereof. No inspection fee  
20 shall be assessed for any inspection conducted for the purpose of updating the compliance status  
21 of a building in preparation for a hearing before the fire safety code board of appeal and review or  
22 before any court.

23 ~~(f)~~(e) All fees collected pursuant to this section shall be deposited as general revenue.

24 SECTION 4. Section 23-28.4-5 of the General Laws in Chapter 23-28.4 entitled "Safety  
25 and Health Programs for Fire Departments" is hereby amended to read as follows:

26 **23-28.4-5. Implementation plan.** -- Each applicable fire department in the state shall  
27 formulate a written plan to implement the requirements of NFPA 1500 ~~not more than one~~  
28 ~~hundred twenty days (120) after July 10, 1990~~ which shall be updated annually and a copy shall  
29 be given to the director of labor and training to be kept on file, and a copy shall be given to the  
30 bargaining agent representing employees within the fire department. A copy of each applicable  
31 fire department's NFPA 1500 implementation plan shall be forwarded by the department of labor  
32 and training to the NFPA 1500 Implementation Plan Review Committee, as established pursuant  
33 to section 23-28.4-5.1, within thirty (30) days after its receipt by the department of labor and  
34 training. The plan shall identify each specific requirement of NFPA 1500 for which the fire

1 department currently complies and each specific requirement for which corrective action must be  
2 initiated for compliance. The plan shall include a timetable for corrective action. The written plan  
3 shall be made available for review by any fire department employee and/or employee  
4 representative. ~~Compliance for each specific requirement of NFPA 1500 shall be accomplished~~  
5 ~~not later than three (3) years after June 9, 1988.~~

6 SECTION 5. Sections 23-28.6-21, 23-28.6-22 and 23-28.6-24 of the General Laws in  
7 Chapter 23-28.6 entitled "Places of Assembly" are hereby amended to read as follows:

8 **23-28.6-21. Sprinklers required.** -- (a) All new and existing places of assembly shall be  
9 completely protected by an approved system of automatic sprinklers installed and maintained in  
10 accordance with N.F.P.A. Standard 13, ~~2002~~ 2011 Edition and its related standards pursuant to  
11 the schedule outlined in subsection (d) of this section.

12 (b) The requirements of subsection (a) of this section shall not apply to:

13 (1) Any place of assembly with an occupancy load of fifty (50) to three hundred (300)  
14 people of less concentrated use, exclusively calculated at fifteen (15) square feet per person;

15 (2) Any place of assembly with an occupancy load of fifty (50) to three hundred (300)  
16 people of concentrated use not classified as a "nightclub";

17 (3) Any place of assembly with an occupancy load of fifty (50) to three hundred (300)  
18 people of concentrated use, classified as a "nightclub" with a posted maximum occupancy of less  
19 than one hundred fifty (150) people;

20 (4) Any existing building used primarily as a place of worship that is in compliance with  
21 the requirements for places of worship established pursuant to section 23-28.6-24;

22 (5) The open assembly areas in existing unheated buildings used on a seasonal basis  
23 provided the building is protected by a properly maintained total (complete) fire alarm system  
24 during all periods of occupancy; and

25 (6) Student occupied assembly areas, such as auditorium(s), library(s), cafeteria(s) and  
26 gymnasium(s), within any existing building, classified as either an educational occupancy, or an  
27 institution of higher education such as a community college, a college and/or university, that is  
28 protected by a properly maintained total (complete) fire alarm system. In the event the owner or  
29 management of such a building plans to use one or more of the above assembly areas, in a  
30 manner inconsistent with the traditional educational use, for example a community meeting, a  
31 dance or a play, the owner or responsible management must first consult with the state fire  
32 marshal's designee, in the local fire department, and develop a plan of action for such use. The  
33 proposed event shall only be conducted pursuant to the above plan of action. This exception shall  
34 not apply to any such existing higher education assembly area(s) used generally for commercial

1 purposes such as an arena, restaurant, bar or lounge.

2 (c) Alternatively engineered sprinkler systems, approved by the Fire Safety Code Board  
3 of Appeal and Review, shall be allowed in the retrofitting of an existing place of assembly with  
4 sprinklers.

5 (d) All places of assembly with a maximum occupancy of more than three hundred (300)  
6 people shall be fully sprinkled in accordance with the above standards ~~on or before July 1, 2005.~~  
7 All "nightclubs" with a posted maximum occupancy of one hundred fifty (150) or more people,  
8 and up to three hundred (300) people shall be fully sprinkled in accordance with the above  
9 standards ~~on or before July 1, 2006. For good cause shown, the above deadlines may be extended~~  
10 ~~by the Fire Safety Code Board of Appeal & Review.~~

11 (e) The occupancy of any place of assembly without a fire alarm system and/or sprinkler  
12 system ~~after July 1, 2004~~, shall have its maximum occupancy adjusted by minus ten percent  
13 (10%) for the absence of a fire alarm system and minus twenty percent (20%) for the absence ~~for~~  
14 of the sprinklers, when fire alarm systems and/or sprinklers are required by law or regulation.  
15 Such downward adjustment in occupancy shall be cumulative and shall cease to apply when the  
16 premises are in compliance with requirements for fire alarms systems and sprinklers, and shall  
17 not affect any other requirements of the Fire Safety Code Board of Appeal and Review applicable  
18 to the premises. The ten percent (10%) and twenty percent (20%) reductions in maximum  
19 occupancy, herein set forth, may be waived, in writing, by the state fire marshal, assistant state  
20 fire marshal, deputy state fire marshals, the local fire chief of the jurisdiction in which the place  
21 of assembly is located, or an assistant deputy state fire marshal as designated by the local fire  
22 chief. Provided, however, that the owner or management responsible for the operation of the  
23 facility shall be required to operate said facility under an alternative plan of action for fire safety,  
24 which plan shall require the approval of the state fire marshal, the assistant state fire marshal,  
25 deputy state fire marshals, the local fire chief of the jurisdiction in which the place of assembly is  
26 located, or an assistant deputy state fire marshal as designated by the local fire chief, in order to  
27 qualify for the waiver provided for herein.

28 (f) A place of assembly with an occupancy of one hundred fifty (150) or greater and up  
29 to three hundred (300) may avoid the above occupancy adjustment by requiring a fire fighter to  
30 be on duty during all hours of occupancy. In no event shall the occupancy adjustment to the  
31 firefighter requirement alter the July 1, 2006 deadline for the installation of sprinklers.

32 (g) All places of assembly with an occupancy of less than one hundred fifty (150) shall  
33 use fire retardant paints or other coverings, to a standard acceptable to the Fire Safety Code Board  
34 of Appeal and Review, unless the building has sprinklers by July 1, 2006.

1 (h) The provisions of this section, in its entirety, shall not apply to places of worship  
2 except as may be required by the Fire Safety Code Board of Appeal and Review pursuant to  
3 section 23-28.6-24.

4 **23-28.6-22. Nightclubs.** -- Every special amusement building concentrated occupancy  
5 place of assembly nightclub as defined in section 23-28.1-5 shall comply with the following  
6 requirements, consistent with requirements related thereto established by the Fire Safety Code  
7 Board of Appeal and Review and the state fire marshal. All such buildings shall:

8 (1) Have fire alarms that are municipally connected for occupancies of one hundred fifty  
9 (150) or greater ~~and for all Class A and B places of assembly by July 1, 2004.~~ These fire alarm  
10 systems shall be tested no less than quarterly.

11 (2) Have sprinklers in ~~Class C~~ places of assembly of one hundred fifty (150) or greater  
12 with an occupancy load of one hundred fifty (150) up to three hundred (300) people ~~by July 1,~~  
13 ~~2006~~ and in ~~Class A and B~~ places of assembly with an occupancy load of greater than three  
14 hundred (300) people ~~by July 1, 2005~~; provided, however, that this requirement shall not apply to  
15 fully alarmed buildings used exclusively as places of worship.

16 (3) Have alarm systems sound and upon the actuation of any smoke detector or fire  
17 alarm, have emergency lighting or other appropriate lighting activate, and require that any  
18 conflicting sounds or visuals cease, ~~by February 20, 2004.~~

19 (4) Have two (2) fire extinguishers, which shall be at least twenty (20) pounds or such  
20 other size as may be established as appropriate by the Fire Safety Code Board of Appeal and  
21 Review, in each stage area, ~~by February 20, 2004.~~

22 (5) Have floor proximity exit signs for all occupancies greater than one hundred fifty  
23 (150) ~~by February 20, 2005.~~

24 (6) Provide an audible announcement of the location of emergency exits prior to each act  
25 or set.

26 (7) Have an emergency plan for the premises, approved by a fire marshal and consistent  
27 with rules established by the Fire Safety Code Board of Appeal a person on duty or a crowd  
28 manager on duty, who has been trained by the fire marshal with regard to the emergency plan and  
29 basic crowd management techniques ~~by October 1, 2004.~~ This requirement shall be in addition to  
30 the requirement for a detail fire fighter.

31 **23-28.6-24. Places of worship.** -- (a) The Fire Safety Code Board of Appeal and Review  
32 shall establish and maintain a subcategory of assembly occupancies for places of worship and  
33 shall, consistent with the provisions of this section, specify code requirements applicable to the  
34 subcategory. Every place of worship as defined in section 23-28.1-5 shall comply with the

1 requirements for places of worship by the Fire Safety Code Board of Appeal and Review and  
2 administered by the state fire marshal. In establishing and maintaining this subcategory, the board  
3 shall give due consideration to the historic level of use as well as to occupant load and shall  
4 provide for separate calculation of occupant loads for sanctuaries and gathering halls and for  
5 distinct requirements for the different areas of the place of worship.

6 (b) Newly constructed places of worship shall comply with the applicable requirements  
7 for new occupancies.

8 (c) Existing places of worship shall comply with requirements established by the Fire  
9 Safety Code Board of Appeal and Review, pursuant to this subsection.

10 (1) The Fire Safety Code Board of Appeal and Review shall adopt reasonable  
11 requirements for fire safety in existing places of worship ~~by July 1, 2007~~, which standards shall  
12 allow for the continued occupancy and use of the place of worship without undue hardship, with  
13 due consideration for the historic use and operation of the place of worship, unless such continued  
14 use and occupancy would constitute a serious threat to life. Such requirements shall provide that  
15 the place of worship shall have:

16 (i) Adequate egress, including exits, exit signs, and emergency lighting;

17 (ii) Adequate systems for discovery of fire and smoke and for altering occupants  
18 promptly and effectively; and

19 (iii) Adequate fire extinguishers.

20 (2) Existing places of worship shall not be subject to requirements for places of assembly  
21 to install sprinklers in the sanctuary or in other areas unless the state fire marshal, or official in  
22 the office of the state fire marshal designated by the state fire marshal in the capacity of the  
23 authority having jurisdiction, shall determine: (i) that in the absence of sprinklers, there would be  
24 a serious threat to life as a result of conditions specific to those areas in the place of worship; or  
25 (ii) that the kitchen of the place of worship is used for cooking food for more than two (2) hours  
26 per week as an annual average, in which case a requirement may be imposed for automatic fire  
27 suppression system in the kitchen. The code requirements applicable to the place of worship shall  
28 be deemed satisfactory purposes of the use of the place of worship or areas thereof by community  
29 members and groups and nonprofit organizations; provided, however, that the use of the place of  
30 worship or a portion thereof for an occupancy for a commercial purpose or for the regular  
31 conduct of an activity or function that requires licensure by the state may be subject to code  
32 requirements for that occupancy.

33 ~~(d) The Fire Safety Code Board of Appeal and Review shall establish a timetable for~~  
34 ~~existing places of worship to comply with the requirements adopted pursuant to subsection (c) of~~

1 ~~this section, which compliance timetable shall commence not sooner than January 1, 2008 and~~  
2 ~~may extend beyond July 1, 2008.~~

3 (e)(d) The Fire Safety Code Board of Appeal and Review and the state fire marshal shall  
4 in establishing, interpreting, administering and enforcing code requirements pertaining to this  
5 subcategory satisfy reasonable requirements for life safety in a manner that does not cause  
6 disproportionate effort or expense and that allows for continued occupancy as places of worship  
7 in buildings and structures where worship is a historic use, provided that any condition that  
8 represents a serious threat to life is mitigated by application of appropriate safeguards, and in so  
9 doing, shall give due consideration in applying the provisions of this paragraph to occupancies  
10 that normally are used by gatherings of less than fifty (50) persons.

11 SECTION 6. Sections 23-28.19-1 and 23-28.19-11 of the General Laws in Chapter 23-  
12 28.19 entitled "Tents-Grandstands-Air-Supported Structures" are hereby amended to read as  
13 follows:

14 **23-28.19-1. Tents for which license required -- Application and issuance.** -- No tent  
15 exceeding ~~one hundred twenty square feet (120 sq. ft.)~~ three hundred fifty square feet (350 sq. ft.)  
16 in area shall be erected, maintained, operated, or used in any city or town in this state except  
17 under a license from the licensing authorities of the city or town. The license shall not be issued  
18 for a period exceeding thirty (30) days and shall be revocable for cause. Application shall be  
19 made on proper form and, when deemed necessary by the licensing authorities, shall include  
20 plans drawn to scale, showing exits, aisles, and seating arrangements and details of the structural  
21 support of tent, seats, and platforms, etc. No license shall be issued until the provisions of this  
22 chapter have been complied with, and approval has been obtained from the building department,  
23 the police department, the fire department, and, when tents are to be used for ~~two hundred (200)~~  
24 fifty (50) or more persons, from each and every department having jurisdiction over places of  
25 assembly.

26 **23-28.19-11. Smoking regulations.** -- Signs prohibiting smoking shall be prominently  
27 displayed at all entrances and at other locations within any tent used as a place of assembly, so  
28 that they may be clearly visible to all occupants. Frequent announcements regarding the  
29 prohibition shall be made, preferably over a public address system if available. Suitable non-  
30 combustible containers shall be provided at all entrances for the proper disposition of cigar or  
31 cigarette butts and pipe dottle, and ~~a uniformed~~ an attendant shall be stationed at the locations to  
32 advise patrons of the no smoking regulations.

33 SECTION 7. Section 23-28.25-1 of the General Laws in Chapter 23-28.25 entitled "Fire  
34 Alarm Systems" is hereby amended to read as follows:

1            **23-28.25-1. Applicability.** -- All buildings and facilities covered under the Fire Safety  
2 Code and all codes adopted pursuant to the Fire Safety Code, shall be equipped with an approved  
3 fire alarm system installed and maintained in accordance with this chapter and any updated fire  
4 alarm regulations adopted by the Fire Safety Code Board of Appeal & Review. ~~Any building that~~  
5 ~~is not a place of assembly, that is required to be equipped with a fire alarm system pursuant to the~~  
6 ~~Rhode Island Fire Safety Code, shall be so equipped on or before July 1, 2005.~~

7            SECTION 8. 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 -- COMPREHENSIVE FIRE SAFETY ACT

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- 1 This act would bring various sections relative to fire safety up-to-date relative to the
- 2 National Fire Prevention Act standards.
- 3 This act would take effect upon passage.

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