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

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

Sec. 1. 25 MRSA §2453, as amended by PL 2001, c. 31, §1, is repealed and the following enacted in its place:

§ 2453. Fire escapes; appeals

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

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

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

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

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

Effective September 20, 2007