
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 560 Session of
2003

INTRODUCED BY WAGNER, TARTAGLIONE, STOUT, KITCHEN, MELLOW,
KUKOVICH, LOGAN, SCHWARTZ, MUSTO, WAUGH, COSTA, BOSCOLA AND
O'PAKE, APRIL 2, 2003

REFERRED TO URBAN AFFAIRS AND HOUSING, APRIL 2, 2003

AN ACT

1 Providing for residential dwelling smoke detectors and for
2 enforcement; and imposing penalties.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Residential
7 Dwelling Smoke Detector Law.

8 Section 2. Smoke detector alarm devices required.

9 (a) New construction of residential dwellings.--The new
10 construction of residential dwellings, including apartment
11 dwellings, shall have smoke detectors on each level of the
12 structure and outside each separate sleeping area in the
13 immediate vicinity of the bedrooms. The device shall be located
14 on or near the ceiling and shall be installed, maintained and
15 used in accordance with The National Fire Alarm Code. The
16 installation of battery-operated smoke detectors shall satisfy
17 the requirements of this section. A certificate of inspection

1 shall be issued to the owner of the residential dwelling or
2 apartment dwelling upon inspection by the municipal zoning
3 officer or code enforcement officer of the municipality, or if
4 there is no such officer, then by an official designated by the
5 local governing body of the municipality. No such certificate
6 shall be issued until the local official has determined that the
7 residential dwelling is equipped with the alarm device or
8 devices required by this act. The local governing body of the
9 municipality may set a reasonable fee for conducting the
10 inspection. The fees collected under this act shall be used by
11 the municipality for fire prevention activities, fire prevention
12 equipment or other similar fire prevention needs.

13 (b) Change of occupancy in existing residential dwellings.--
14 In any case where a change of occupancy of a residential
15 dwelling exists, including an apartment dwelling, the sale or
16 lease of property shall be conditional on the existence and
17 proper installation of smoke detectors in the residential and
18 apartment dwellings in accordance with The National Fire Alarm
19 Code. A certificate of inspection shall be issued to the owner
20 of the residential or apartment dwelling upon inspection by the
21 municipal zoning officer or code enforcement officer of the
22 municipality, or if there is no such officer, then by an
23 official designated by the local governing body of the
24 municipality. No such certificate shall be issued until the
25 local official has determined that the residential dwelling is
26 equipped with the alarm device or devices required by this act.
27 The local governing body of the municipality may set a
28 reasonable fee for conducting the inspection. The fees collected
29 under this act shall be used by the municipality for fire
30 prevention activities, fire prevention equipment or other

1 similar fire prevention needs.

2 Section 3. Penalty.

3 A person who violates this act commits a summary offense and
4 shall, upon conviction, be sentenced to pay a fine of not more
5 than \$300. Upon a second or subsequent conviction, the violator
6 shall be sentenced to pay a fine of not more than \$1,000.

7 Section 4. Enforcement.

8 An action to enforce this act or to charge a violation of
9 this act shall be brought by the municipal zoning officer or
10 code enforcement officer of the municipality, or if there is no
11 such officer, then by an official designated by the local
12 governing body of the municipality. Fines collected under this
13 act shall be used by the local governing body for fire
14 prevention activities, fire prevention equipment or other
15 similar fire prevention needs.

16 Section 5. Regulations.

17 The Department of Labor and Industry shall promulgate
18 regulations to administer and enforce this act.

19 Section 6. Effective date.

20 This act shall take effect in 90 days.