

SECTION 2

1402.000. MINIMUM REQUIREMENTS FOR SMOKE DETECTION IN ALL EXISTING APARTMENT BUILDINGS, DUPLEXES, SINGLE FAMILY RENTAL PROPERTY AND LODGING AND ROOMING HOUSES.

1402.001. AUTHORIZATION. This Ordinance is promulgated by the City of Winsted pursuant to Minnesota Statutes 299, The National Fire Protection Association Code 101 and the Uniform Fire Code Appendix 1A.

1402.002. DEFINITIONS. The following terms, for the purposes of this Ordinance, shall have the meanings given in this Section.

- A. Apartment Buildings - Includes buildings containing three or more living units with independent cooking and bathroom facilities, whether designated as apartment house, tenement, garden apartment, or by any other name.
- B. Code Enforcement Office - Means a licensed peace officer, fire chief or building official designated with the power to cite property owners for non-compliance with this Ordinance and/or federal or state mandates.
- C. Duplexes - Includes buildings or structures which are already in existence on the date when this Ordinance becomes effective.
- D. Existing - Includes buildings or structures which are already in existence on the date when this Ordinance becomes effective.
- E. Living Unit - Includes those structures, areas, rooms or combinations of rooms in which a person or persons lives. This does not include common usage areas in multiple living unit buildings such as corridors, lobbies, basements, etc.
- F. Single Family Rental Property - Includes buildings containing one living unit with independent cooking and bathroom facilities, whether designated as a dwelling, house, mobile home or by any other name.

1402.003. DETECTION REQUIREMENTS. Approved single station or multiple station smoke detectors, continuously powered by the building's electrical service, shall be installed in accordance with Section 4, in every living unit within existing apartment buildings, existing duplexes, existing single-family rental property and in every sleeping room within existing lodging and rooming houses regardless of the number of stories or number of living units or sleeping units. When activated, the detector(s) shall initiate an alarm that is audible in the sleeping rooms of that living unit or in the sleeping areas of that sleeping room. The living unit or sleeping room detector(s) shall be in addition to any sprinkler system or other detection system that may be installed in the building. (Exception - single station smoke detection is not required where the building is equipped with a total automatic smoke detection system throughout, such as a centralized system.)

- 1402.004. TYPE.** Said detector shall be of a type that consists of a superior quality that uses alternating current power.
- 1402.005. EXISTING PROPERTIES.** Apartments, duplexes, single family rental units, lodging and rooming houses shall be required to install smoke detectors by no later than December 31, 1994. After that date, the Code Enforcement Officer may inspect any property for non-compliance.
- 1402.006. INSTALLATION.** Single station or multiple station smoke detectors shall be installed in accordance with NFPA 74, "Standard For the Installation, Maintenance, And Use of Household Fire Warning Equipment, and Appendix 1A of the Uniform Fire Code." If, due to the configuration of the living unit or sleeping room, two or more smoke detectors are required within the living unit or sleeping room, they shall be arranged so that the activation of any detector causes the operation of an alarm that shall be clearly audible throughout the living unit or sleeping room over background noise with all intervening doors closed. The detector(s) shall sound an alarm only within an individual living unit or sleeping room and shall not activate the building protective signaling and control system, if any.
- 1402.007. PRE-EMPTION.** If any model fire prevention, life safety, or building code or standard recognized in or by the State of Minnesota is or becomes more stringent or restrictive than the requirements of this Ordinance, the requirements of such code or standard shall be added to and/or supersede the requirements of this Ordinance.
- 1402.008. TAMPERING.** Whoever tampers with any smoke detector installed pursuant to this Ordinance so as to render the same inoperable for a period of time longer than is necessary to repair same or for such period of time to disable the detector while the same is making an audible noise due to heat or smoke while someone is in the living unit and cooking, which said cooking causes the detector to go off, is guilty of a petty misdemeanor.
- 1402.009. ENFORCEMENT.** The Code Enforcement Officer shall be directed to cite property owners without smoke detection equipment in accordance with the section penalties.
- 1402.010. PENALTY.** Whenever an act of omission is declared in this code to be a petty misdemeanor, any person violating the provision will, upon conviction, be subject to the penalties specified by state law for a petty misdemeanor.
- 1402.011. SEVERABILITY.** If any provisions or sections of this Ordinance are found invalid by any court of law, such a decision does not invalidate any other provisions of this Ordinance not specifically included in such a decision.

(Ord. 94-01, 1/4/94; Ord. O-18-06, 8/21/18)