

**ORDINANCE NUMBER 1147 SUPPLEMENTAL  
AMENDING CHAPTER § 70, ARTICLE II, SMOKE ALARMS,  
OF THE CODE OF ORDINANCES  
REQUIRING THE INSTALLATION OF SMOKE DETECTORS  
AND CARBON MONOXIDE DETECTORS  
IN ALL RESIDENCES**

**WHEREAS**, Chapter 70, Article II (Smoke Alarms) of the Code of Ordinances currently provides for the installation, use and maintenance of smoke detectors in dwellings containing three or more units; and

**WHEREAS**, it has been determined that it is in the best interests of the City of Stamford to establish uniform standards of control and regulations for the installation, use and maintenance of smoke detectors; and

**WHEREAS**, it has been determined that it is in the best interests of the City of Stamford to require carbon monoxide detection and warning equipment in all residences within the City and to establish uniform standards of control and regulations for the installation, use and maintenance of carbon monoxide detectors .

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF STAMFORD THAT**

Chapter 70, Article II of the Code of Ordinances is hereby amended as follows:

**ARTICLE II. - ~~SMOKE ALARMS~~ SMOKE AND CARBON MONOXIDE DETECTORS**

**Sec. 70-10. - Definitions.**

For the purposes of this Article, the following definitions shall apply:

Carbon Monoxide detector. A device which detects carbon monoxide and alerts occupants.

Dwelling. Any enclosed space which is wholly or partly used or arranged or designed to be used for living or sleeping by human occupants. For the purposes of this Article, a "dwelling" shall not include hotels, motels and other such commercial establishments providing day-to-day lodging on a daily fee basis.

Dwelling unit. Includes but is not limited to any room or groups of rooms located within a dwelling and forming a single habitable unit with facilities which are used, arranged or designed to be occupied for living or sleeping, whether or not it includes a space for cooking and eating.

Fire Chief. ~~Fire Chief having jurisdiction in that area~~ The Fire Chief having jurisdiction in a particular area as designated by the City of Stamford.

Owner. A property owner and/or its agent

Sleeping area. The area of the dwelling unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate "sleeping areas."

Smoke detectors. A device which detects particles or products of combustion other than heat.

**Sec. 70-11. - Applicability.**

This Article shall apply to all dwellings ~~containing three (3) or more dwelling units.~~

**Sec. 70-12. - Requirements; responsibility.**

It is the responsibility of the owner of each new or existing occupied dwelling to install and have operating smoke detectors and carbon monoxide detectors in each dwelling unit as listed below. ~~The smoke detectors must be of an approved type capable of sensing visible or invisible particles of combustion and providing a suitable audible alarm. They must be installed in the manner provided herein.~~ Such equipment shall be of a type or technology that is tested and certified pursuant to standards issued by the American National Standards Institute or Underwriters Laboratories or any technology approved by the State Marshal. Such equipment may combine smoke and carbon monoxide detection technology into a single device. Warning equipment shall provide a suitable audible alarm thereof, further, they shall be installed by December 31, 2012 in the manner hereinafter provided unless any other provisions of State or Federal law

shall require installation before that date.

**Sec. 70-13. - Location of detectors.**

~~Smoke detectors must be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms.~~

- A. A smoke detector and carbon monoxide detector shall be located on the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
- B. A smoke detector shall be located in each room used for sleeping purposes.
- C. A smoke detector shall be located in each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

**Sec. 70-14. - Installation standards.**

~~All devices, combinations of devices and equipment required by this Article are to be installed in conformance with the State Building Code, the State Fire Code and the provisions of this Article.~~ A. In new dwellings or dwellings that undergo alterations requiring a building construction permit, all devices combinations of devices and equipment required by this Article are to be in conformance with the State Building Code the State Fire Code and the provisions of this Article.

B. In existing dwellings for which a building construction permit was obtained prior to October 1, 1978 it is preferred that single station smoke detectors and carbon monoxide detectors be wired directly to the power supply with battery backup. However said detectors may be solely battery operated by self-monitored battery.

**Sec. 70-15. - Change of Occupancy.**

After the effective date of this Article, at every change of occupant(s) of every dwelling unit occasioned by, or incidental to, a sale, lease or sublease of said unit, it shall be the duty of the owner to provide and ensure before occupancy that all smoke detectors and carbon monoxide detectors are present and in proper working condition.

**Sec. 70-16-15. - Provisions for the hearing impaired.**

~~Where a dwelling unit is occupied by a person who is deaf or hearing impaired, it is the responsibility of the owner to provide an approved smoke detector and carbon monoxide detector which when activated provides a visual and audible signal sufficient to warn the deaf or hearing impaired individual which is recognized by a nationally recognized testing laboratory. The owner may require a refundable deposit for a portable smoke detector not to exceed twenty five (25) percent of the retail value of the smoke detector. The devices shall be approved as previously stated in Section 70-12.~~

**Sec. 70-17-16. - Maintenance and repair.**

- A. Maintenance and repair or replacement of smoke detectors and carbon monoxide detectors, once properly installed and confirmed in writing by the Fire and Rescue Chief, shall be the responsibility of the occupant. Said maintenance shall include, but not be limited to, the checking and replacement of batteries in battery-operated smoke detectors and carbon monoxide detectors.
- B. No person may remove or render a smoke detector or carbon monoxide detector inoperative except for periodic maintenance of said detector or to conduct maintenance or repair to the dwelling or dwelling unit.

**Sec. 70-1847. - Adoption of rules and regulations; notice of violations; penalties; appeals.**

A.—The Fire and Rescue Chief of the City of Stamford in consultation with the Volunteer Chiefs shall adopt written rules and regulations to enforce the provisions of this Article. The Fire Chief or his designee is authorized to appoint and train or cause to be trained members of the City of Stamford Fire and Rescue Department and all city volunteer fire departments as well as employees, officers and/or agents of the City of Stamford in the inspection of residential dwellings and dwelling units for the purposes of ~~the enforcement of compliance with~~ this Article.

~~B.— Whenever the Fire and Rescue Chief or his designee determines that there are reasonable grounds to believe that there has been a violation of any provision of this Article or of any rule or regulation adopted pursuant thereto, the Chief shall give notice of such alleged violation(s) to the person(s) responsible therefor, as hereinafter provided. Such notice:~~

~~(1) Shall be in writing.~~

~~(2) Shall include a statement of the reason as to why it is being issued.~~

~~(3) Shall allow twenty four (24) hours for the installation or repair of operational smoke detectors and a reasonable amount of time for the correction of any other violations.~~

~~(4) Shall be served upon the occupant, the owner or his designated agent, as the case may require. The owner may designate any person who is a resident of the City of Stamford as his agent for service pursuant to this Article. Notice shall be deemed to be properly served upon such owner or agent or upon such occupant if a copy thereof is sent by registered or certified mail to said person's last known mailing address or if a copy thereof is posted in a conspicuous place in or about the dwelling or dwelling unit affected by the notice or if said person is served with such notice by any other method authorized or required by the laws of this state.~~

~~(5) May contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Article and with the rules and regulations adopted pursuant hereto.~~

~~C.— Penalties. Any person who violates this Article or the rules adopted by the Fire and Rescue Chief of the City of Stamford pursuant thereto shall be fined ninety dollars (\$90.00) for each violation. For the purposes of this section, the total number of violations in each individual dwelling unit shall constitute one (1) violation.~~

~~D.— Appeals. Any person who has been fined pursuant to this Article may appeal such fine pursuant to the rules and regulations adopted by the Fire Chief.~~

**Sec. 70-1948. - Required inspectionsInspections.**

The Fire and Rescue Chief or his designee is hereby authorized and directed to make periodic inspections by and with the consent of the owner, occupant or person in charge to determine whether the provisions of this Article have been complied with. For the purpose of making inspections, the Fire and Rescue Chief or his designee, with the consent of the owner, occupant or person in charge, is hereby authorized to enter, examine and survey between the hours of 8:30 a.m. and 4:30 p.m. all dwellings and dwelling units affected by the mandates of this Article. The owner, occupant or person in charge may also arrange with the Fire and Rescue Chief or his designee to conduct an inspection at some other mutually agreed upon time. To further ensure that the policy of this Article, which is to achieve compliance through the cooperation of the owners and occupants, is successfully maintained, ~~it shall be the practice of the Fire and Rescue Chief or his designee, to the extent practicable, shall whenever practicable, to provide~~ reasonable advanced written notice to the owners and occupants of projected blanket inspections or inspections of a routine nature. The owner, occupant or person in charge

of a dwelling or dwelling unit, upon presentation by the Fire and Rescue Chief or his designee of proper identification, may give the Fire and Rescue Chief or the Chief's designee entry and free access to such dwelling or dwelling unit for the purpose of conducting an inspection.

**Sec. 70-2019. - Conflict with other standards.**

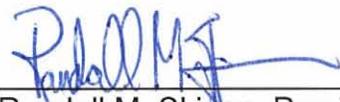
In any case where a provision of this Article is found to be in conflict with any provision of the State Building Code or the State Fire Code, the provisions of said codes shall be deemed to prevail.

This ordinance shall take effect upon enactment.

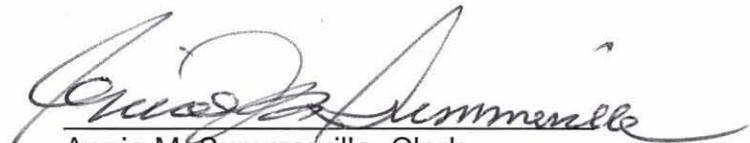
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Randall M. Skigen, President, and Annie M. Summerville, Clerk, do hereby certify that the foregoing ordinance was approved on the Consent Agenda by the 28<sup>th</sup> Board of Representatives at the Meeting held on Monday, August 6, 2012.

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Randall M. Skigen, President  
Dated this 13<sup>th</sup> day of August, 2012



Annie M. Summerville, Clerk  
Dated this 13<sup>th</sup> day of August, 2012



Michael A. Pavia, Mayor, City of Stamford  
Dated this 24<sup>th</sup> day of August, 2012

EFFECTIVE DATE: <sup>Sept.</sup> August 10, 2012

- cc: Mayor Michael A. Pavia  
Ted Jankowski, Director of Public Safety, Health & Welfare  
Michael Handler, Director of Administration  
Ernie Orgera, Director of Operations  
Joseph Capalbo, II, Esq., Director of Legal Affairs  
Donna Loglisci, Town Clerk