

SECOND REGULAR SESSION

SENATE BILL NO. 822

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR CLAY.

Read 1st time January 13, 2000, and 1,000 copies ordered printed.

3797S.011

TERRY L. SPIELER, Secretary.

AN ACT

To amend chapter 320, RSMo, by adding thereto four new sections relating to fire protection, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapter 320, RSMo, is amended by adding thereto four new sections, to be known as sections 320.400, 320.405, 320.407 and 320.410, to read as follows:

320.400. As used in sections 320.400 to 320.410, the following terms shall mean:

(1) "Existing high rise buildings", any building constructed prior to August 28, 2000, and having floor surfaces used for human occupation located higher than seventy-five feet above the lowest level of the fire department's vehicle access;

(2) "Fire protection sprinkler system", a system of overhead piping designed in accordance with fire protection engineering standards. The system must be supplied from a reliable, constant and sufficient water supply such as a gravity tank, fire pump, reservoir or pressure tank or connection by underground piping to a city main or any combination of these. The system includes a controlling valve and device for actuating an alarm when the system is in operation. Fire protection sprinkler system, dry-pipe and preaction systems, antifreeze systems, and circulating closed loop systems, have meanings as defined and continuously revised in National Fire Protection Association Pamphlet 13, entitled Standard for the Installation of Sprinkler Systems;

(3) "Master plan", a specific scheme or plan detailing the number of floors, total square footage, present occupancy and a proposed completion date of each phase and completion date of total compliance with the requirements of sections 320.400 to 320.410.

320.405. 1. All existing high rise buildings as defined in section 320.400 shall be protected throughout by an approved fire protection sprinkler system by January 1,

2012, and subject to the schedule set forth in this section.

2. The minimum standards for approved fire protection sprinkler systems shall be the provisions of National Fire Protection Association Pamphlet 13, entitled Standard for the Installation of Sprinkler Systems, and National Fire Protection Association Fire Code 1.

3. The owners of existing high rise buildings which are not, as of August 28, 2000, protected throughout by an approved fire protection sprinkler system shall submit a written master plan to the state fire marshal on or before January 1, 2003, detailing with specificity a schedule for compliance with section 320.400 to 320.410.

4. Phase one of the installation shall include, but not be limited to, completion of an approved automatic fire protection system covering one-third of the total floor space for the building listed in the master plan for that building by January 1, 2006.

5. Phase two of the installation shall include, but not be limited to, completion of an approved automatic fire protection system covering two-thirds of the total floor space for the building listed in the master plan for that building by January 1, 2009.

6. Phase three of the installation shall include the completion of an approved automatic fire protection system throughout the entire building by January 1, 2012.

7. The time periods provided in subsections 4, 5 and 6 of this section may be extended for a period of up to one additional year per phase upon approval of the state fire marshal if the installation of automatic fire suppression extinguishing systems in an existing high rise building involves or requires the removal, abatement or protection of asbestos.

8. The state fire marshal is authorized to adopt those rules that are reasonable and necessary to accomplish the limited duties specifically delegated within this section and section 320.407. Any rule or portion of a rule, as that term is defined in section 536.010, RSMo, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter 536, RSMo, are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536, RSMo, to review, to delay the effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2000, shall be invalid and void.

320.407. 1. No work shall begin under a master plan until the plans and specifications have been submitted and reviewed by the state fire marshal's office as required by section 320.405.

2. There shall be a review fee, as established by rule, assessed by the state fire marshal for reviewing the plans and specifications as detailed in section

320.405. Payment of this fee shall be transmitted to the director of the department of revenue for deposit into the general revenue fund.

320.410. Whoever violates the provisions of sections 320.400 to 320.410 shall be guilty of a class B misdemeanor.

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