

HOUSE No. 2089

The Commonwealth of Massachusetts

PRESENTED BY:

Ruth B. Balse and *Kenneth J. Donnelly*

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to enhanced fire protection in new one and two family dwellings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Ruth B. Balse</i>	<i>12th Middlesex</i>
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>
<i>Jennifer E. Benson</i>	<i>37th Middlesex</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>
<i>Jennifer L. Flanagan</i>	<i>Worcester and Middlesex</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Thomas P. Kennedy</i>	<i>Second Plymouth and Bristol</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>

David M. Rogers

24th Middlesex

Jonathan Hecht

29th Middlesex

Michelle M. DuBois

10th Plymouth

HOUSE No. 2089

By Representative Balser of Newton and Senator Donnelly, a joint petition (accompanied by bill, House, No. 2089) of Ruth B. Balser and others for legislation to authorize municipalities to require automatic sprinkler protection systems in certain housing. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act relative to enhanced fire protection in new one and two family dwellings.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 148 of the General laws, as appearing in the 2012 “Official
2 Edition”, is hereby amended by adding the following new section:-

3 Section 26J. In any city or town which accepts the provisions of this section, every
4 newly constructed building, designed or used for residential occupancy and containing not more
5 than two dwelling units, shall be protected throughout with an adequate system of automatic
6 sprinklers installed in accordance with the provisions of the state building code. The provisions
7 of this section shall apply to any such newly constructed building for which a building permit is
8 issued on or after one year from the acceptance of this act by a city or town.

9 The head of the fire department shall enforce the provisions of this section.

10 Whoever is aggrieved by the head of the fire department’s interpretation, order,
11 requirement, direction or failure to act under the provisions of this section, may, within forty-five

12 days after the service of notice thereof, appeal from such interpretation, order, requirement,
13 direction, or failure to act, to the board of appeals as provided in section 201 of chapter six.

14 SECTION 2. Section 27A of chapter 148, as so appearing, is amended by inserting, after
15 the word “service”, in lines 17 and 18, the following new sentence:- This section shall not apply
16 to the seasonal shut-off of automatic sprinklers installed in accordance with the provisions of
17 section 26J of chapter 148, when such shut off has been conducted in accordance with the
18 procedures established by the Board of Fire Prevention Regulations. For purposes of this
19 section, the Board shall determine what constitutes a seasonal shutoff of automatic sprinklers.