

# SENATE . . . . No. 21

---

---

To accompany the petition of Charles W. Olson for legislation to regulate the time during which owners of buildings, except in the city of Boston, shall comply with the orders of a building inspector relating to means of escape from fire and other related matters. Military Affairs and Public Safety.

---

---

## The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Three.

AN ACT REGULATING THE TIME DURING WHICH OWNERS OF BUILDINGS, EXCEPT IN THE CITY OF BOSTON, SHALL COMPLY WITH THE ORDERS OF A BUILDING INSPECTOR RELATING TO MEANS OF ESCAPE FROM FIRE, TO REQUIRE PORTABLE FIRE EXTINGUISHERS IN CERTAIN PREMISES, AND REGULATING THE AMOUNT WHICH THE OWNER OR OCCUPANT OF PREMISES MAY BE REQUIRED TO EXPEND TO REMEDY CONDITIONS THEREAT.

*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. Section twenty-one of chapter one  
2 hundred and forty-three of the General Laws, as  
3 appearing in the Tercentenary Edition, is hereby  
4 amended by striking out in the fifteenth line the  
5 word "thirty" and inserting in place thereof the  
6 word: — ten, — so as to read as follows: — *Section 21.*  
7 Except in Boston, any building in whole or in part  
8 used as a public building, and any building in which

9 ten or more persons are employed in a factory, work-  
10 shop, mercantile or other establishment, and an office  
11 building, dormitory, hotel, family hotel, apartment  
12 house, boarding house, lodging house or tenement  
13 house which has eight or more rooms, or in which  
14 ten or more persons are accommodated, lodge or re-  
15 side above the second story, the owner, lessee or  
16 mortgagee in possession whereof is notified in writing  
17 by an inspector that sections fifteen to sixty, inclu-  
18 sive, apply thereto, shall be provided with proper  
19 egresses or other means of escape from fire sufficient  
20 for the use of all persons accommodated, assembled,  
21 employed, lodged or resident therein; but no owner,  
22 lessee or mortgagee in possession of such building  
23 shall be deemed to have violated this provision unless  
24 he has been notified in writing by an inspector as to  
25 what additional egresses or means of escape from fire  
26 are necessary, and for ten days has neglected or re-  
27 fused to provide the same. The egresses and means  
28 of escape shall be kept unobstructed, in good repair  
29 and ready for use, and, if the inspector so directs in  
30 writing, every such egress shall be properly lighted  
31 and provided with a sign having on it the word  
32 "Exit" in letters not less than five inches in height,  
33 and so made and placed as plainly to indicate to  
34 persons within the building the situation of such  
35 egresses; stairways shall have suitable hand rails;  
36 egress doors and windows shall open outwardly, and  
37 women or children shall not be employed in a fac-  
38 tory, workshop, mercantile or other establishment in  
39 a room above the second story from which there is  
40 only one egress. The certificate of the inspector shall  
41 be conclusive evidence of a compliance with the said  
42 requirements. Portable seats shall not be allowed in

43 the aisles or passageways of such buildings during any  
44 service or entertainment held therein. Stairways on  
45 the outside of the building shall have suitable railed  
46 landings at each story above the first, accessible at  
47 each story from doors or windows, and such landings,  
48 doors and windows shall be kept clear of ice, snow  
49 and other obstructions.

1 SECTION 2. Said chapter one hundred and forty-  
2 three is hereby further amended by inserting after  
3 section twenty-four, as so appearing, the following  
4 new section: —

5 *Section 24A.* Except in Boston, in premises used  
6 for the purpose of eating, drinking or dancing, a port-  
7 able fire extinguisher of approved type, for not less  
8 than one for every thousand square feet of floor area,  
9 shall be provided.

1 SECTION 3. Said chapter one hundred and forty-  
2 three is hereby further amended by inserting after  
3 section twenty-seven, as so appearing, the following  
4 new section: —

5 *Section 27A.* Except in Boston, in premises used  
6 as a place of eating, drinking, or dancing, all fixtures,  
7 decorations, ornaments and other ornamental equip-  
8 ment shall be made of metal or other non-combustible  
9 material.

1 SECTION 4. Section twenty-nine of chapter one  
2 hundred and forty-eight of the General Laws, as  
3 amended by chapter two hundred and five of the  
4 acts of nineteen hundred and thirty-nine, is hereby  
5 further amended by striking out in the seventeenth  
6 line the word "five" and inserting in place thereof

7 the word:— ten, — so as to read as follows:— *Sec-*  
8 *tion 29.* If buildings or other premises are owned by  
9 one person and occupied by another under lease or  
10 otherwise, the orders of the marshal or head of the  
11 fire department shall apply to the occupant alone,  
12 except where the rules or orders require the making  
13 of additions to or changes in the premises themselves,  
14 such as would immediately become real estate and  
15 be the property of the owner of the premises. In  
16 such cases the rules or orders shall affect the owner  
17 and not the occupant; and unless it is otherwise  
18 agreed between the owner and the occupant, the oc-  
19 cupant whose use of the premises has caused the  
20 making of such additions or changes, in addition to  
21 his rent or other payments, shall, after the additions  
22 or changes are made, pay a reasonable per cent of the  
23 cost thereof annually to the owner of the premises.  
24 No rule or order shall be made or enforced which  
25 requires an expenditure by the owner or occupant of  
26 more than ten per cent of the last annual assessed  
27 valuation of the land and buildings to which such  
28 rule or order relates.

1 SECTION 5. This act shall take effect upon its  
2 passage.